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# 1994 Town of Billerica

"In all the world there is not another town named Billerica"

c.yavarow

## Annual Report

Cover by CHAD YAVAROW
BILLERICA MEMORIAL H.S.

# TOWN OF BILLERICA ANNUAL REPORT 1994

# GOVERNMENT

Accuforms, Inc.
100 Washington Street
Braintree, MA 02184

# 1994
# IN MEMORIAM

**MICHAEL AMOROSO**
Decreased: July 6, 1994
Crossing Guard Supervisor: 1973-1994

**WILLIAM ARCHAMBAULT**
Deceased: January 16, 1994
Billerica School Teacher & Administrator: 1954-1983

**STANLEY J. BOCKO**
Deceased: November 11, 1994
Selectman: 1952-1959
Town Meeting Member: 1956-1981
State Representative: 1959-1969
Traffic Control Committee: 1964-1975
Memorial Plaque Committee: 1968-1971
Dump Study Committee: 1971
Tercentennial Committee: 1954-1955

**MILAN BURGESS**
Decreased: July 24, 1994
Water Department: 1961-1988

**WILLIAM DESMOND**
Deceased: December 3, 1994
Planning Board: 1956-1958
Selectman: 1958-1960
Town Meeting Member: 1957-1970
Housing Authority: 1964-1975
Historical Society Committee: 1968-1975
Billerica Industrial Development Financing Authority: 1974-1987
Conflict of Interest Committee: 1962-1963

**PHILIP FRANK**
Deceased: March 30, 1994
Elementary School Teacher: 1963-1994

**MARY FOLEY**
Deceased: February 6, 1994
School Department Food Services

**FREDERICK H. GOULD**
Deceased: November 3, 1994
Board of Health: 1948-1971
Reg. Sanitation Study Committee: 1964
Town Meeting Member: 1956-1971
Council for Aging: 1962-1971
Dump Study Committee: 1968-1971
Drug Action Committee: 1970-1971

**RITA M. GRANFIELD**
Deceased: December 6, 1994
Election Officer

**HUMPHREY J. GREER**
Decreased: November 27, 1994
Town Meeting Member: 1978-1981
Election Officer

**ROGER W. HODGDON**
Deceased: January 26, 1994
Town Meeting Member: 1961-1963
Water Committee: 1962-1966

**ANNA HOPKINS**
Deceased: February 3, 1994
Talbot School Teacher: 1953-1978

**GEORGE HUREAU**
Deceased: August 29, 1994
Council on Aging: 1989-1990

**MARY KHIRELLA**
Deceased: August 27, 1994
Election Officer

**WILLIAM A. KNOX**
Deceased: July 10, 1994
Town Meeting Member: 1957-1960

**SUZANNE MCCARTHY**
Deceased: August 10, 1994
Town Meeting Member: 1988-1992
School Committee Member: 1972-1976

**MILDRED E. MEAGHER**
Deceased: February 8, 1994
Election Officer

**ANDREW L. MISCONE**
Deceased: October 31, 1994
Dept. of Public Works: 1956-1977

**MARY MORRIS**
Deceased: July 20, 1994
Town Meeting Member: 1980-1984
Election Officer

**CHESTER W. MYERS**
Deceased: September 20, 1994
School Committee Member: 1936-1939

**MARY C. NEWMAN**
Deceased: July 5, 1994
Billerica School System: 1973-1979

**FORREST H. PARADISE**
Deceased: December 4, 1994
Selectman: 1952-1957
Town Meeting Member: 1950-1960

**AMBROSE READER**
Deceased: May 24, 1994
Town Meeting Member: 1958-1959

**ALDEN ROLLINS**
Deceased: August 4, 1994
Assessor: 1947-1948
Principal Assessor: 1949-1955

**JEAN R. SILVA**
Deceased: November 23, 1994
School Department: 1977-1994

# GENERAL INFORMATION

**NEW TOWN HALL:**
365 Boston Rd., Billerica, MA 01821

**TOWN HALL HOURS: 8:30 A.M., 4:00 P.M.**

**AREA:** 25.96 Square miles

**ALTITUDE:** 375 feet above sea level

**INCORPORATED:** May 1655

**POPULATION:** 37,029 (FEDERAL CENSUS)

**DISTRICTS:** Fifth-Congressional, Fifth Councillor, Second Essex and Middlesex Senatorial, 24th Middlesex Representative

**U.S. Sen. Edward M. Kennedy (D)**
Room 2400, J.F.K. Federal Building
Boston, MA. 02203

**U.S. Sen. John Kerry (D)**
Transportation Building
Room 3220, 10 Park Plaza
Boston, MA 02116

**U.S. Rep. Edward J. Markey (D)**
205 Cannon House Office Building
Washington, D.C. 20515
State Senator

**John D. O'Brien**
Room State House
Boston, MA 02133
State Representative

**William G. Greene Jr.**
Room State House
Boston, MA 02133

**COUNCILLOR:** John J. Markey, 246 Turnpike St .N. Andover, MA 01845 (Fifth Councillor)

**QUALIFICATIONS FOR REGISTRATION AS A VOTER: ALL ELECTIONS:**
Every citizen eighteen years of age and upwards, who has resided within the Town one day may claim the right to register to vote.

**ALL ELECTIONS:** Eighteen (18) years of age.

**ABSENTEE VOTING: AT ALL ELECTIONS** including Primaries

**REGISTRATION;** Monday through Friday 8:30 A.M. to 4:00 P.M. at the office of the Board of Registrars. Special sessions of Registrars held preceding elections.

**ANNUAL ELECTION;** First Saturday in April.

**ANNUAL APPROPRIATION MEETING**
(Spring) First Tuesday in May
(Fall) First Tuesday in October

**PLANNING BOARD:** Meet the 2nd and 4th Mondays of each month at 7:30 P.M.

**SCHOOL COMMITTEE:** Meet the 2nd and 4th Monday of each month at 8:00 P.M.

**BOARD OF HEALTH:** Meet the 1st and 3rd Wednesday of the month at 7:30 P.M.

**BOARD OF APPEAL**: Meet the 3rd Wednesday of each month at 7:00 P.M.

**BOARD OF SELECTMEN** Meet the 1st and 3rd Monday of the month at 7:30 P.M.

**BOARD OF HEALTH:** Householders shall report to the Board of Health all cases of communicable disease unless a physician is in attendance. Subsurface sanitary disposal systems installation and repair must be inspected by the Health Department.

**DOG LICENSES:** All dog licenses expire December 31st. A dog should be licensed when three (3) months old. FEES: Male/Female $11.00, Neutered Male/Spayed Female $7.00. Spaying or Neutering Certificates must be shown for first license and a valid rabies certificate must be shown every year before license can be issued, unless you have left the rabies certificate on file in the Town Clerk's Office.

**PENALTY FEE:** Any dog three (3) months of age or older not licensed by MARCH 10th, will have a $10.00 late fine added to the license fee per Town By-Laws, Article VI, Section 21, Sub-section 11.

**TAX RATE:** For Fiscal Year 1994
$14.75 per $1,000.00 residential
$34.11 per $1,000.00 commercial
$34.11 per $1,000.00 industrial

# ELECTED TOWN OFFICIALS —1994

| | | TERM EXPIRES |
|---|---|---|
| **SELECTMEN:** | Ralph M. Krau, Chrm. | April, 1995 |
| | James F. O'Donnell, Jr. | April, 1997 |
| | Edward J. Hurd | April, 1996 |
| | Brion M. Cangiamila | April, 1996 |
| | Arthur L. Doyle | April, 1995 |
| **MODERATOR:** | Maureen M. Sullivan | April, 1997 |
| **TOWN CLERK:** | Shirley E. Schult, CMC, CMMC | April, 1996 |
| **BILLERICA HOUSING AUTH.** | Elizabeth F. McCarthy, Chrm. | April, 1997 |
| | Walter F. Coakley, V. Chrm. | April, 1995 |
| | John Daley, Jr. | April, 1996 |
| | William Flaherty | April, 1999 |
| | Dorothy L. Pearson (Gov. Appt.) | Aug. 26, 1996 |
| | Carol A. Ford, Executive Director | |
| **PLANNING BOARD:** | Ruthanne Allen Bossi, Chrm | April, 1996 |
| | Daniel J. Hayes, V. Chrm. | April, 1995 |
| | Marie P. Blanchette | April, 1995 |
| | Salvatore A. Dampolo | April, 1995 |
| | Dianne Bonnell | April, 1997 |
| | John L. Noonan | April, 1996 |
| | Robert C. Norman | April, 1997 |
| | Peter Kennedy - Town Planner | |
| **SCHOOL COMMITTEE:** | Maureen E. Collins-Rea, Chrm. | April 1995 |
| | Thomas F. Galligani, V. Chrm. | April, 1996 |
| | Lawrence J. Grey | April, 1995 |
| | Robert W. Keough | April, 1997 |
| | Cosmo D. Cavicchio | April, 1996 |
| | Dr. Robert J. Calabrese, Superintendent | |
| | Jerry Houghton, Superintendent of Business Affairs | |
| **REGIONAL VOCATIONAL SCHOOL DISTRICT MEMBERS:** | Kenneth L. Buffum | April, 1997 |
| | Bernard F. Hoar | April, 1996 |

# APPOINTED TOWN OFFICIALS 1994

| | | |
|---|---|---|
| **TOWN ADMINISTRATORS:** | Robert A. Mercier | |
| **ASST. TOWN ADMIN:** | Evelyn M. Haines | |
| **TOWN ACCOUNTANT:** | Valerie M. Connor | |
| **TOWN COUNSEL:** | Leonard Kopelman, Esq. | June 30, 1995 |
| **ASST. TOWN CLERK:** | Position not funded in FY 94 | |
| **TREASURER/TAX COLLECTOR:** | David A. Genereux | June 30, 1995 |

| | | TERM EXPIRES |
|---|---|---|
| **ASST. TREASURER:** | Cheryl A. Robertson | June 30, 1995 |
| **ASST. TAX COLLECTOR:** | Shirley Bedrick | June 30, 1995 |
| **ASSESSOR:** | Richard J. Scanlon | June 30, 1996 |
| **ASSOCIATE ASSESSOR:** | Carol A. Gibson | June 30, 1996 |
| | Bruce E. Richardson | June 30, 1995 |
| **DIR. OF BOARD OF HEALTH:** | John Morris | |
| **BOARD OF HEALTH:** | Arnold M. Ventresca, Chrm. | June 30, 1995 |
| | Wallace E. Mallett, V. Chrm. | June 30, 1996 |
| | Marie O'Rourke | June 30, 1995 |
| | Bernard F. Hoar | June 30, 1997 |
| | Leonard Bram, M.D. | June 30, 1997 |
| **VETERAN'S AGENT:** | Kenneth L. Buffum | |
| **CEMETERY COMMISSION:** | Robert G.Reader, Chrm. | June 30, 1997 |
| | David McLaughlin, V. Chrm. | June 30, 1995 |
| | Ralph T. McDonald, Sec. | June 30, 1996 |
| **CONSTABLES:** | David R. Laskey | June 30, 1997 |
| | Susan M. Freeman | June 30, 1997 |
| **FENCE VIEWER:** | Carol D.Wood | June 30, 1995 |
| | Malcolm P. McDowell | June 30, 1995 |
| **DOG OFFICER & ANIMAL INSPECTOR:** | Harry E. Peary, Sr. | |
| **STATE MIDDLESEX CANAL COMMISSION:** | Marion E. Potter | |
| | Charles E. Stearns | |
| **DEPUTY DIRECTOR OF CIVIL DEFENSE:** | Albert Donahue, Sr. | |
| | Thomas Revane | |
| **SUPT. OF SEWER:** | Arthur Malcuit | |
| **LOWELL REGIONAL TRANSPORTATION AUTH:** | Arthur L. Doyle | June 30, 1995 |
| | James F. O'Donnell | June 30, 1995 |
| **STATE FUNDED BIKEWAYS PROGRAMS:** | Board of Selectmen | |
| **NMCOG REPRESENTATIVE:** | Arthur L. Doyle, Selectman | June 30, 1995 |
| | Dianne Bonnel, Planning Board | June 30, 1994 |
| | Ann M. Mulcahy, Alternate | June 30, 1995 |
| **SEALER OF WEIGHTS & MEASURES:** | Alfred D. Laing | |

| | | |
|---|---|---|
| **BOARD OF REGISTRARS:** | Donald H. Lovegrove, Chrm. | March 31, 1995 |
| | John G. Conway | March 31, 1997 |
| | Joseph M. Burke, Jr. | March 31, 1996 |
| | | **TERM EXPIRES** |
| **POLICE CHIEF:** | John M. Barretto, Jr., 11/94 | |
| | Paul W. Matthews | |
| **SAFETY OFFICER:** | Michael Tammaro | |
| **FIRE CHIEF:** | Anthony E.Capaldo, Jr. | |
| **DEPUTY FIRE CHIEF:** | Glenn R. Sennett | |
| **INSPECTOR OF BUILDINGS:** | Ruthanne A. Bossi | |
| **PLUMBING INSPECTOR:** | Louis Stifano | |
| **ELECTRICAL INSPECTOR:** | Anthony Iovanna | |
| **DIR. OF PUBLIC WORKS:** | Richard A. Bento | |
| **TOWN ENGINEER:** | John Sanchez | |
| **SUPT. OF HIGHWAYS:** | David McLaughlin | |
| **FAIR HOUSING DIR.** | Evelyn M. Haines | |
| **LOCAL AUCTION PERMIT AGENT:** | Robert Mercier, Town Administrator | |
| **PROCUREMENT OFFICER:** | Robert Mercier | |
| **SUPT. OF WATER:** | John McGovern | |

# BOARDS, COMMISSIONS & COMMITTEES

## ARTS COUNCIL

| No. of Term | | Term Expires |
|---|---|---|
| 1 | Nancy Emus, Chrm. | June 30, 1994 |
| 1 | Elizabeth Caporale | June 30, 1995 |
| 2 | Janie B. Lloyd, resigned 7/94 | June 30, 1995 |
| 1 | Anne-Marie Norman | June 30, 1995 |
| 2 | Nancy Volel | June 30, 1995 |
| 2 | Dorothea L. MacNeill | June 30, 1995 |
| 3 | Rosario Celeste | June 30, 1994 |
| 1 | Deborah A. Lashley | June 30, 1996 |
| 2 | Karen Farmer | June 30, 1996 |
| 2 | A. Kathleen Revane | June 30, 1994 |
| 1 | Helen Potter | June 30, 1996 |

## BOARD OF APPEAL

| | |
|---|---|
| John F. Gray, Jr., Chrm. | June 30, 1995 |
| Joseph P. Shaw, V. Chrm. | June 30, 1997 |
| Ellen Sargent, Sec. | June 30, 1996 |
| Michael J. Mulligan, Sr., resigned 4/94 | June 30, 1996 |
| Doris M. Pearson | June 30, 1997 |
| Donald Flynn | June 30, 1994 |
| Francis M. Fraine, appt. 7/94 | June 30, 1997 |

## ASSOCIATE MEMBERS

| | |
|---|---|
| Jay H. Thomas, III, appt. 8/94 | June 30. 1996 |
| Patricia C. Flemming | June 30, 1997 |

## CONSERVATION COMMISSION

| | |
|---|---|
| Diane J. DePaso, Chrm. | June 30, 1995 |
| Norman J. Beloin, Jr., V. Chrm. | June 30, 1996 |
| Joanne M. Giovino, Treas. | June 30, 1997 |
| Crystal Card, Sec. | June 30, 1997 |
| John K. Saulnier | June 30, 1995 |
| Walter W. Arakelian, resigned 5/94 | June 30, 1995 |
| Robert M. Donati | June 30, 1997 |
| Carol Ann Woods, resigned 5/94 | June 30, 1996 |
| Christine Chisholm | June 30, 1996 |

## ENVIRONMENTAL INVESTIGATOR

Martin W. Houlne

## CONSTABLES

| | |
|---|---|
| Kenneth E. Arsenault | June 30, 1994 |
| Yvonne M. Rawson Bozek | June 30, 1994 |
| Bernard A. Brouillette | June 30, 1995 |
| Ronald Canty | June 30, 1995 |
| David Desrochers | June 30, 1995 |
| Ronald Ford | June 30, 1997 |
| Ronald French | June 30, 1996 |
| Sidney Horlink | June 30, 1996 |
| Cheryle A. Laffey | June 30, 1997 |
| Walter J. McAvoy, Sr. | June 30, 1994 |
| Ellen R. McLaughlin | June 30, 1995 |
| Marsha Metzler | June 30, 1995 |
| Harold F. Morang | June 30, 1997 |
| David H. Muscovitz | June 30, 1995 |
| Timothy W. Robbins | June 30, 1996 |
| Peter F. Russell | June 30, 1995 |
| Richard R. Scienzo | June 30, 1995 |
| Armand Soucy | June 30, 1994 |
| Donald L. Stout | June 30, 1997 |
| Henry E. Sullivan | June 30, 1997 |
| John D. Uccello | June 30, 1997 |

## COOK STREET STUDY COMMITTEE

John Barretto, Jr. Police Chief (or Designee-Safety Officer Michael Tammaro)
Richard Bento - Director of Public Works
Anthony Capone - Resident of Cook Street
Arthur L. Doyle - Selectman
Peter Kennedy - Town Planner
Robert Mercier - Town Administrator
John Sanchez - Town Engineer
David McLaughlin - Supt. of Highways

## COUNCIL ON AGING

| | |
|---|---|
| Dorothy A. Cox, Chrm. | June 30, 1995 |
| Alfred G. Zemgals, resigned 7/94 | June 30, 1995 |
| Dorothy A. Millette | June 30, 1997 |
| Robert Thorlton, resigned 2/94 | June 30, 1994 |
| Louis E. Boudreau | June 30, 1997 |
| Virginia Wrobel | June 30, 1997 |
| Arlene L. Lessard | June 30, 1996 |
| Carolyn E. Lassiter | June 30, 1996 |
| Marie Boudreau | June 30, 1995 |

### Alternates

1. Billy E. Aldridge, 28 Shawsheen Road
2. Barbara Stankiewicz, 9 Henry Rd., P.O. Box 249 resigned 10/94
3. Shirley Terrill-Holdman, 129 Andover Road
4. Wilfred Lahaie, 9 Kimbrough Road

### Ex-Officio Non-Voting Members:

Golden Agers; Senior Citizens of Billerica; Greenwood Sr. Citizens' Club; Carriage Club; Board of Health; Billerica Housing Chairman; Veterans' Services Agent, Kenneth Buffum

Coordinator for the Council on Aging: Chester D. Sewell

## DEVELOPMENT & INDUSTRIAL COMMISSION

| | |
|---|---|
| Arthur V.Tonino, Chrm. | June 30, 1995 |
| Anthony R. Iovanna | June 30, 1995 |
| Michele Fossey | June 30, 1994 |
| Richard Vergato | June 30, 1994 |
| Terry Roy Peterson | June 30, 1995 |
| Paul P. Szymanski | June 30, 1995 |
| Mark Hemenway, resigned 8/94 | June 30, 1996 |

## FAIR HOUSING COMMITTEE

| | |
|---|---|
| Anthony Tufts | June 30, 1996 |
| Donna Schultz | June 30, 1996 |
| Director - Evelyn M. Haines | |

## FINANCE COMMITTEE

| | |
|---|---|
| Alfred Pearson, Jr., Chrm. | June 30, 1995 |
| Madeline T. Sargent, V. Chrm. | June 30, 1995 |
| Anthony Barbere | June 30, 1997 |
| Ellen Day Rawlings | June 30, 1997 |
| John King | June 30, 1997 |
| Joseph E. LeBlanc | June 30, 1997 |
| Roger Biagiotti, Jr. | June 30, 1996 |
| John Griffin | June 30, 1996 |
| Christopher F. DeSimone | June 30, 1996 |
| Donald L. Fay | June 30, 1996 |
| Natale J. Kammides | June 30, 1995 |

### Alternates

| | |
|---|---|
| Peter Greeley | June 30, 1995 |
| Ralph J. McKenna | June 30, 1996 |

## FARM ANIMAL STUDY COMMITTEE

Dianne Bonnell, Chrm.
Sidney Horlink, Vice-Chrm.
Michael DeBethencourt, Sec.
Donald MacDonald

## GROWTH MANAGEMENT PLAN IMPLEMENTATION COMMITTEE

| | |
|---|---|
| Daniel Hayes | Planning Board Appointee |
| Brion Cangiamila | Board of Selectmen Appointee |
| Marie O'Rourke | Board of Health |
| Peter Kennedy | Town Planner |
| Lawrence J. Grey | Moderator's Appointee |
| Robert Lord | Moderator's Appointee |
| Lucille Albrecht | Moderator's Appointee |

## HANDICAPPED COMMISSION

| | |
|---|---|
| Joseph Salvato | June 30, 1995 |
| Maria Salvato | June 30, 1995 |
| Norman Gallet | June 30, 1994 |
| Barry J. Dussault, Sr. | June 30, 1996 |
| Eileen P. Langille | June 30, 1996 |
| Helen G. Gentile | June 30, 1996 |
| Mary V. Wiroll | June 30, 1996 |

## HISTORIC DISTRICT COMMISSION

| | |
|---|---|
| Richard H. Young, II, Chrm. | June 30, 1996 |
| Terence H. O'Neil, V. Chrm. | June 30, 1995 |
| Susan P. Miller (Bd. of Realtor's Nom) | June 30, 1996 |
| David A. Kinsella | June 30, 1995 |
| Debra Wolf | June 30, 1997 |
| Carl Herrmann | June 30, 1997 |
| James F.Heiberg, (Boston Soc. of Arch. Nom.) | June 30, 1996 |
| Debra D. Fox | June 30, 1994 |

### Alternates

| | |
|---|---|
| Marie Dube | June 30, 1996 |
| David A. Fitch | June 30, 1995 |
| Scott O'Neil | June 30, 1995 |
| Sandra Porter Libby | June 30, 1997 |
| Debra Fox | June 30, 1997 |

Peter Kennedy, Town Planner - Member, Ex-Officio

## HISTORICAL COMMISSION

| | |
|---|---|
| Margaret B. Ingraham | June 30, 1995 |
| Carol P. Bruyere | June 30, 1995 |
| Elizabeth M. Cleary | June 30, 1995 |
| Linda French | June 30, 1997 |
| Peter R. Woodbury | June 30, 1997 |
| Helen Knight | June 30, 1996 |
| Virginia Maguire | June 30, 1996 |

## HOUSING PARTNERSHIP COMMITTEE

| | |
|---|---|
| Ellen Sargent | June 30, 1995 |
| Lorraine Lally | June 30, 1995 |
| James F. O'Donnell, Jr. | June 30, 1997 |
| Evelyn M. Haines | June 30, 1995 |
| Christopher F. DeSimone | June 30, 1995 |
| Walter Clark | June 30, 1995 |
| Sal Dampolo | June 30, 1997 |

### Associate/Alternate Members

| | |
|---|---|
| David Allen Fitch | June 30, 1995 |
| Dorothy L. Pearson | June 30, 1996 |
| Mary V. Wiroll | June 30, 1994 |

### Ex-Officio Members

Robert A. Mercier, Town Administrator
Peter Kennedy, Town Planner

## INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY

| | |
|---|---|
| Bernard F. Hoar, Chrm. | June 30, 1997 |
| Allan Arakelian | June 30, 1996 |
| Robert Lord | June 30, 1996 |
| Donald F. MacDonald | June 30, 1995 |
| James T. Dangora, Jr. | June 30, 1995 |

## MAPPING COMMISSION

| | |
|---|---|
| Dianne Bonnell | June 30, 1997 |
| Gerard Pednault | June 30, 1996 |
| John Noonan | June 30, 1997 |
| Thomas Ferraro | June 30, 1997 |
| Stephen R. Dresser | June 30, 1996 |
| Leslie Hannon | June 30, 1995 |

## MUSEUM COMMITTEE

| | |
|---|---|
| Helen Potter | June 30, 1994 |
| Helen Knight | June 30, 1997 |
| Rosario Celeste | June 30, 1996 |
| Ralph Krau | June 30, 1995 |
| Gordon C. Brainerd | June 30, 1997 |
| Dorothea MacNeill | June 30, 1997 |
| Nancy Emus | June 30. 1994 |

## OMBUDSMAN COMMITTEE

| | |
|---|---|
| Sally Markarian | June 30, 1995 |
| Richard Burtt | June 30, 1995 |
| Gordon C. Brainerd | June 30, 1995 |
| Carol Wood | June 30, 1994 |
| Debra Crowley | June 30, 1994 |

## PERSONNEL BOARD

| | |
|---|---|
| Barbara Flynn | June 30, 1994 |
| Charles L. Taylor | June 30, 1996 |
| William Collins | June 30,1996 |
| Mark W. Hemenway | June 30, 1995 |
| Ralph T. McDonald | June 30, 1995 |
| Anthony P. Tufts | June 30, 1997 |

## PUBLIC LIBRARY BOARD OF TRUSTEES

| | |
|---|---|
| John Coyne, Chrm. | June 30, 1995 |
| Sandra Flesher | June 30, 1996 |
| Thomas Vaughn | June 30, 1996 |
| Marion R. Murray | June 30, 1995 |
| Diane M. Fowler | June 30, 1997 |
| Karen Miller | June 30, 1997 |
| Devora Abramowitz | June 30, 1997 |
| Christine Dendor Fanning | June 30, 1997 |
| David A. Genereaux, Treasurer | |
| Barbara Flaherty, Librarian | |

## RECREATION COMMISSION

| | |
|---|---|
| Richard Boutwell | June 30, 1995 |
| Daniel W. Barnhart | June 30, 1995 |
| Linda J. Meyer | June 30, 1995 |
| Sal Cognato | June 30, 1997 |
| Margaret Hannon-Rizza | June 30, 1997 |
| Donald R. Donati | June 30, 1996 |
| John E. Bartlett | June 30, 1996 |
| Anthony B. DeFraia | June 30, 1995 |
| Addie Finley | June 30, 1995 |
| John T. Colbert | June 30, 1996 |
| Joseph Higgins, Jr. - Recreation Supervisor | |

## RESIDENTS' EMPLOYMENT MONITORING COMMITTEE

| | |
|---|---|
| Richard A. Bento | June 30, 1995 |
| Richard J. Vergato, Chrm. | June 30, 1995 |
| Daniel Frobese | June 30, 1995 |
| Mary V. Wiroll | June 30, 1995 |
| Robert C. Norman | June 30,1995 |

## SCHOLARSHIP FOUNDATION COMMITTEE

| | |
|---|---|
| Deborah L. Krau, Chrm. | June 30, 1996 |
| Carol A. Ouellette, V. Chrm., resigned 6/94 | June 30, 1995 |
| Robert M. Wallask, Sec. | June 30, 1997 |
| Maureen M. Sullivan, Treas. | June 30, 1997 |
| Mark W. Hemenway | June 30. 1994 |
| Barbara Morrissey | June 30, 1994 |
| Barbara G. Norman | June 30, 1995 |
| Paula DeSimone | June 30, 1995 |
| Grace P. Morse | June 30, 1995 |
| Ellen Day Rawlings | June 30, 1996 |
| Eleanor H. Hoar | June 30, 1996 |
| Evelyn M. Haines | June 30, 1996 |
| Dr. Robert Calabrese, Superintendent of Schools | |

## SEWER EXTENSION COMMITTEE

| | |
|---|---|
| John F. Gray Jr. | June 30, 1995 |
| Richard Vergato | June 30, 1994 |
| Philip Farmer | June 30, 1997 |
| Edward F. Ricarte | June 30, 1997 |
| Paul A. Odierno | June 30, 1996 |
| William Cooke | June 30, 1996 |

## STREET ACCEPTANCE & DISCONTINUANCE COMMITTEE

| | |
|---|---|
| Arthur L. Doyle | June 30, 1995 |
| John Sanchez | June 30, 1994 |
| Peter Kennedy | June 30, 1994 |

| | |
|---|---|
| Ruthanne A. Bossi | June 30, 1995 |
| Alfred R. Pearson | June 30, 1994 |

## TOWN BYLAW REVIEW COMMITTEE

| | |
|---|---|
| Walter Arakelian | June 30, 1995 |
| Gene Dundee | June 30, 1995 |
| Dorothy Callihan | June 30, 1995 |
| Bernard Duggan | June 30, 1995 |
| Richard Young | June 30, 1995 |
| Terry O'Neil | June 30, 1995 |
| Rino Moriconi | June 30, 1995 |
| Brion Treanor | June 30, 1995 |
| Sue Miller | June 30, 1997 |
| Phillip Quinlan - Alternate Member | |

## TOWN FOREST COMMITTEE

| | |
|---|---|
| Walter (Randy) Clark | June 30, 1997 |

## PRIVATIZATION COMMITTEE

Frederic R. Brown, Finance Committee Appointee
Jean M. Card, Town Administrator's Appointee
Christopher DeSimone, Moderator's Appointee
Robert A. Mercier, Town Admin., Selectmen's Appointee

## TEMPORARY SIGNS & BANNER COMMITTEE

Ralph M. Krau, 30 Champa Road
Doris M. Pearson, 25 Harjean Road
Salvatore A. Dampolo, 299 Boston Road
David W. Brownell, 20 Glenside Avenue

## TOWN MEETING WARRANT ACTION COMMITTEE

| | |
|---|---|
| Bernard F. Hoar | June 30, 1995 |
| Nancy L. Smith | June 30, 1995 |
| Brion Cangiamila | June 30, 1995 |
| Evelyn Haines | June 30, 1995 |
| Ellen Day Rawlings | June 30, 1995 |

## LEGAL COUNSEL STUDY COMMITTEE

| | |
|---|---|
| Lawrence Norman | June 30, 1997 |
| Christopher DeSimone | June 30, 1997 |
| Ralph J. McKenna | June 30, 1997 |
| Ellen Day Rawlings | June 30, 1997 |
| Ralph M. Krau | June 30, 1997 |

## MAP COMMITTEE DISSOLVED

## SPECIAL POLICE OFFICERS APPOINTED—1994

### Police Appointees

| | |
|---|---|
| Mark Bailey | June 30, 1994 |
| Paul A. Bordonaro | June 30, 1994 |
| Martin W. Britten | June 30, 1994 |
| George Chamberlin | June 30, 1994 |
| Brian Coffey | June 30, 1994 |
| Kim Coffey | June 30, 1994 |
| Patrick Coffey | June 30, 1994 |
| Frank Conroy | June 30, 1994 |
| Noreen Conway | June 30, 1994 |
| Matthew Davis | June 30, 1994 |
| Andrew DeVito | June 30, 1994 |
| Daniel Dolan | June 30, 1994 |
| Theodore Doyle | June 30, 1994 |
| James Farmer, III | June 30, 1994 |
| Anthony Fontana | June 30, 1994 |
| William S. Gallagher | June 30, 1994 |
| George Gullage | June 30, 1994 |
| John G. Hickey | June 30, 1994 |
| Patricia Higgins | June 30, 1994 |
| Dieter Hubert | June 30, 1994 |
| John Kenney | June 30, 1994 |
| William F. King | June 30, 1994 |
| Timothy J. Libby | June 30, 1994 |
| John F. McCarthy | June 30, 1994 |
| Anthony McNulty | June 30, 1994 |
| Karen McNulty | June 30, 1994 |
| Blaise MacDonald | June 30, 1994 |
| Donald MacPhail | June 30, 1994 |
| David McKenna | June 30, 1994 |
| Frank Mirasola | June 30, 1994 |
| Charlene Mullen | June 30, 1994 |
| Richard Nadeau | June 30, 1994 |
| Joseph P. O'Connor, Jr. | June 30, 1994 |
| Daniel O'Leary | June 30, 1994 |
| Edward O'Mahony | June 30, 1994 |
| Charles Oullette | June 30, 1994 |
| Scott Parker | June 30, 1994 |
| John Petrone | June 30, 1994 |
| Christopher Reardon | June 30, 1994 |
| Sheila Russell | June 30, 1994 |
| Kenneth Sullivan | June 30, 1994 |
| Phillip Tammaro | June 30, 1994 |
| Peter Tilton | June 30, 1994 |
| John F. Wallace | June 30, 1994 |
| Brian West | June 30, 1994 |
| John E. Zarro | June 30, 1994 |

### Selectmen's Appointees

| | |
|---|---|
| Brion M. Cangiamila | June 30, 1994 |
| Thomas H. Conway, Jr. | June 30, 1994 |
| Arthur L. Doyle | June 30, 1994 |
| Ralph M. Krau | June 30, 1994 |
| Donald Flynn | June 30,1994 |

| | |
|---|---|
| John Gray, Jr. | June 30, 1994 |
| Michael Mulligan | June 30, 1994 |
| Ellen Sargent | June 30, 1994 |
| Joseph Shaw | June 30, 1994 |
| Francis Fraine | June 30, 1994 |
| Joseph Johnson, Sr. | June 30, 1994 |
| Leonard Bram, Dr. | June 30, 1994 |
| Wallace Mallett | June 30, 1994 |
| John Morris, Director | June 30, 1994 |
| Marie O'Rourke | June 30, 1994 |
| Robert Solomon | June 30, 1994 |
| Arnold Ventresca | June 30, 1994 |
| Joseph W. Walsh, Jr. Dep. Dir | June 30, 1994 |
| Ruthanne A. Bossi | June 30, 1994 |
| Anthony Iovanna | June 30, 1994 |
| Louis G. Stifano | June 30, 1994 |
| Robert F. LaBonte, Capt. Aux. Police | June 30, 1994 |
| John Riel, Dir | June 30, 1994 |
| Kenneth Buffum | June 30, 1994 |
| Harry E. Peary, Sr. | June 30, 1994 |
| Steve Dunbeck, Asst. | June 30, 1994 |
| Lawrence Thorlton | June 30, 1994 |
| Charles J. Faria | June 30, 1994 |
| Martin Houlne | June 30, 1994 |
| Joanne Giovino | June 30, 1994 |
| Anthony Barbere | June 30, 1994 |
| Chris DeSimone | June 30, 1994 |
| Robert J. Calabrese, Dr. | June 30, 1994 |
| Jerry Houghton | June 30, 1994 |
| John McKenna | June 30, 1994 |
| Michael Amarosco | June 30, 1994 |
| Robert Fitzgerald | June 30, 1994 |
| Kathy Marshall | June 30, 1994 |
| Frances Nagle | June 30, 1994 |
| Theresa Rolinson | June 30, 1994 |
| David McKenna | June 30, 1994 |
| Anthony Colella | June 30, 1994 |
| Richard Bento, Dir. | June 30, 1994 |
| Paul T. Berger | June 30, 1994 |
| George E. Jacobson | June 30, 1994 |
| Henry Lausier | June 30, 1994 |
| Gordon C. Brainard | June 30, 1994 |
| Lawrence Norman | June 30, 1994 |
| Arthur D. Brown | June 30, 1994 |
| Herbert Brown | June 30, 1994 |
| Leonard C. Champa | June 30, 1994 |
| Harry E. Chronister | June 30, 1994 |
| John G. Conway | June 30, 1994 |
| Paul Elkins | June 30, 1994 |
| Richard B. Ford | June 30, 1994 |
| David A. Gardner | June 30, 1994 |
| John C. Gherson | June 30, 1994 |
| Erica C. Hann | June 30, 1994 |
| Evelyn M. Haines | June 30, 1994 |
| Peter W. Haines | June 30, 1994 |
| Allen Jones | June 30, 1994 |
| Robert J. Lacey | June 30, 1994 |
| Donald Lampron | June 30, 1994 |
| Stephen J. Lentine | June 30, 1994 |
| Alliston E. Lunt | June 30, 1994 |
| Donald G. McCarthy | June 30, 1994 |
| Martin J. McDonald | June 30, 1994 |
| Robert A. Mercier | June 30, 1994 |
| Warren R. Nelson | June 30, 1994 |
| Ralph N. Newman | June 30, 1994 |
| Mary A. Pasho | June 30, 1994 |
| Joseph Plourde | June 30, 1994 |
| Robert H. Price, Jr. | June 30, 1994 |
| George Rogers | June 30, 1994 |
| Donald J. Ryan | June 30, 1994 |
| Philip H. Sheridan | June 30, 1994 |
| Samuel J. Trodella | June 30, 1994 |
| Richard Vergato | June 30, 1994 |
| Paul Qinlan | June 30, 1994 |
| Phil Chisholm | June 30, 1994 |
| Rev. John W. Gentleman | June 30, 1994 |
| Richard LeFebvre | June 30, 1994 |
| Vincent Lomaglio | June 30, 1994 |
| Barbara Morrissey | June 30, 1994 |
| Sidney Horlink | June 30, 1994 |

## TOWN MEETING MEMBERS - 1994

### PRECINCT 1

**Term Expires 1997**

Roger Biagiotti, Jr.
Gordon C. Brainerd
Rosario Celeste, Jr.
Gary S. Higgins
Maurice J. Houlne
Rita T. (Reeny) McKenney
Joseph E. Silva
Mary V. Wiroll

**Term Expires 1996**

Anthony Barbere
John S. King
Sandy Larsen-Souza
George A. Merrill, Jr.
Barbara G. Norman
Maria Salvato
Paul E. Shibles
Phyllis M. Stephens

**Term Expires 1995**

Lawrence M. Libby, Jr. elected by caucus
Sandra Porter Libby, elected by caucus
Brian J. Lewis, elected by caucus
Robert P. Hastings, elected by caucus
Colleen O'Keefe, elected by caucus
Catherine Frederico, elected by caucus

**PRECINCT 2**

**Term Expires 1997**

Walter R. Clark
Martin E. Conway
Thomas J. Ferraro
James P. Haines
Jeanne Legallo
William Paskiewicz, Jr.
Carol D. Wood

**Term Expires 1996**

Ronald A. Balboni
Thomas H. Conway, Jr.
John H. Higgins, Jr.
Elizabeth F. McCarthy
John W. Morris
Bradford O'Neill
Norman L. Poole, Jr.
Helen L. Potter
Marion E. Potter

**Term Expires 1995**

Warren J. Ames
Linda A. DeProfio
Robert K. Gingras
Susan Krasowski
Joan C. McDonald
Michael J. Miller
Michael Morris
Milton Saunders

**PRECINCT 3**

**Term Expires 1997**

Lillian J. Arsenault
Barbara Joyce Carney
Daniel Frobese
John F. Gray, Jr.
Norman H. Hall
Robert Lazott
Gilbert A. Moreira
Susan D. Moreira
Ralph Morrison

**Term Expires 1996**

David Brownell, resigned 9/94
William J. Eggleston
Marie C. Loughlin
Lawrence R. Norman

**Term Expires 1995**

Lee A. Scalzilli, elected by caucus
Lynda Anderson, elected by caucus
Susan Baker, elected by caucus
William F. Loughlin, elected by caucus
Christopher P. Musto, elected by caucus
Marion C. Musto, elected by caucus

**PRECINCT 4**

**Term Expires 1997**

Patricia M. Barbarossa
Robert D. Killeen
Lorraine Lally
Joseph E. LeBlanc
Vincent D. MacDonald
Scott W. Winchell
Robert C. Norman

**Term Expires 1996**

Judith A. Ciampa
Nancy Emus
Gilbert W. Griggs
Alexander Infanger, Jr.
Brian Luttrell
Linda J. Myer
David S. Tedford, resigned 9/94

**Term Expires 1995**

Simon Bagdigian
Gene Dundey
JoAnne M. Giovino
Bessie G. Killeen
Donald H. Lovegrove
Anthony P. Tufts
William R. Sievert
Natale J. Kammides, elected by caucus
Carol Conant, elected by caucus
George E. Noel, elected by caucus
Alden S. Ward, elected by caucus

**PRECINCT 5**

**Term Expires 1997**

Brion M. Cangiamila
Donald L. Fay
Ralph M. Krau
T. Josephine Leary
Lisa E. Sanford
Madeline T. Sargent
Michael A.Tammaro

**Term Expires 1996**

Marie P. Blanchette
Kenneth L. Buffum
John E. Farmer
Scott Freitas
Michael F. Hopkins
Arthur J. LaCroix
Mary A. Pasho
Richard Vergato

**Term Expires 1995**

Stephen S. Battcock
George G. Cronin, Jr.
Marianne Depamphilis
Ronald J. DiOrio
Michael Ouellette
James A. Powers
Lillie M. Ralston
Stewart Wood

**PRECINCT 6**

**Term Expires 1997**

Dorothy M. Callihan
Thomas H. Conway, III
Cosmo D. Cavicchio, Jr.
Phyllis A. MacDonald
Sally S. Markarian
John J. McKenna
David J. McLaughlin
Edward R. McLaughlin

**Term Expires 1996**

Linda M. Dickinson
Paul R. Harper
Donald F. MacDonald
Matthew McLaughlin
Karen A. Miller
Rosemary E. Saviano
Doris E. Schultz
Richard D. Tracey, Jr.

**Term Expires 1995**

Walter W. Arakelian
Louise M. French
Cynthia K. McDowell
Malcolm P. McDowell
Nancy J. Peverill
Christopher V.Riel
David Saviano

**PRECINCT 7**

**Term Expires 1997**

Jean M. Card
Diane J. DePaso
Barbara A. Flynn
William R. Lee
Francis C. Mandarano, Jr.
Gloria M. McKenna
Ralph J. McKenna
Joseph Sharrock
Richard B. White

**Term Expires 1996**

John E. Bartlett
David F. Delorey, Jr.
Christopher DeSimone
Donald J. Flynn
Elizabeth A. Gallagher
David R. Lasky
Ralph T. McDonald
Jane M. Shanley

**Term Expires 1995**

Leonard Caporale
Crystal A. Card
Wayne Klug
Rachel F. Mallett
Daniel F. Powderly
Eleanor A. Sievert
Laurie S. Burgoyne, next on ballot
Leon Seymour, next on ballot

**PRECINCT 8**

**Term Expires 1997**

Ruthanne Allen Bossi
Bernard F. Hoar
Anthony R. Iovanna
Dean F. Jenkins
Barbara Morrissey
Troy C. Opland
George J. Simolaris, Jr.

**Term Expires 1996**

Allan A. Arakelian
John Coyne
Brian P. Crowley
Frances Fraz Fraine
Helen R. Knight
John L. Noonan
Joseph P. Shaw
Olga S. Symes

**Term Expires 1995**

Jacqueline G. Gurney
Michael Hoar
Estella C. Hoff
Oren D. Hunt, Jr.
Susan M. Hunt
Ellen Day Rawlings

Daniel C. Rosa, Jr.
Richard H. Young, II

**PRECINCT 9**

**Term Expires 1997**

Dianne Bonnell
Patricia C. Flemming
John A. Griffin
Leslie A. Hannon
Elaine T. Horlink
Sidney Horlink
Nicholas J. Rosa
Michael Rosa

**Term Expires 1996**

Leon Benoit
Kevin J. Collins
Marc F. Lally
Rino Moriconi
Ralph N. Newman
Dorothy L. Pearson
Charles L. Taylor, Jr.
James Patrick Lally

**Term Expires 1995**

Richard G. January
Eldon M. Livingston
Patricia A. Livingston
Evelyn H. Rose
Cora H. Taylor
Donald E. Wilson
Diane L. Milano, elected by caucus
Steven Rosa, elected by caucus

**PRECINCT 10**

**Term Expires 1997**

Arthur L. Doyle
Peter D. Greeley
Evelyn M. Haines
Jerry A. Houghton
Edward J. Hurd
Marie L. O'Rourke
Doris M. Pearson
Christopher Reardon
Patricia A. Rossetti

**Term Expires 1996**

Devora Abramowitz
Christopher L. Blake
William J. Collins
Salvatore A. Dampolo
Joan K. McNamara
Carmelo Migliore
Alfred R. Pearson, Jr.
Nancy L. Smith

**Term Expires 1995**

Dolores E. Couture, elected by caucus

## PRECINCT CHAIRPERSONS & CLERKS
## 1994-1995

**PRECINCT 1**

Chairman: Anthony Barbere, 7 Olde Hillside Avenue, 01862
Clerk: Barbara G. Norman, 4 Philip Road, 01862

**PRECINCT 2**

Chairman: Joan C. McDonald, 2 Schaefer Street, 01862
Clerk: Carol D. Wood, 29 Call Street, 01862

**PRECINCT 3**

Chairman: John F. Gray, Jr., 65 Ellingwood Avenue, 01821
Clerk: Lillian Joy Arsenault, 71 Bicknell Road, 01821

**PRECINCT 4**

Chairman: Joanne M. Giovino, 10 Eastview Avenue, 01821
Clerk: Nancy Emus, 86 Concord Road, 01821

**PRECINCT 5**

Chairman: Ralph M. Krau, 30 Champa Road, 01821
Clerk: Kenneth L. Buffum, 86 Baldwin Road, 01821

**PRECINCT 6**

Chairman: Cosmo D. Cavicchio, 47 Dyer Street, 01862
Clerk: Malcolm P. McDowell, 56 Riveredge Road, 01862

**PRECINCT 7**

Chairman: Donald J. Flynn, 403 Middlesex Turnpike, 01821
Clerk: Barbara A. Flynn, 403 Middlesex Turnpike, 01821

**PRECINCT 8**

Chairman: Barbara Morrissey, 10 Sumac Street, 01821
Clerk: Ruthanne Allen Bossi, 12 Bayberry Lane,P.O. Box 242, 01821

**PRECINCT 9**

Chairman: Dianne Bonnell, 22 Elizabeth Road, 01821
Chair: Elaine T. Horlink, 1 Lorraine Terrace, 01821

**PRECINCT 10**

Chairman: Doris M. Pearson, 25 Harjean Road,01821
Clerk: Christopher Blake, 5 Norman Road, 01821

## COMMITTEE ON RULES

| Precinct | Name & Address | T.M.M.'S Term to Expire | Committee's Term Expires |
|---|---|---|---|
| 1. | Roger Biagiotti, Jr.<br>241 Treble Cove Road | 1997 | 1997 |
| 2. | Linda A. DeProfio, resigned 10/94<br>James P. Haines, elected 10/94<br>2 Letchworth Avenue | 1997 | 1995 |
| 3. | Lawrence R. Norman<br>18 Shelburne Avenue | 1996 | 1996 |
| 4. | Robert D. Killeen<br>7 Locke Road | 1997 | 1997 |
| 5. | George G. Cronin, Jr.<br>72 Tercentennial Drive | 1995 | 1995 |
| 6. | Dorothy M. Callihan<br>14 Rexhame Street | 1997 | 1996 |
| 7. | Leon Seymour, resigned 10/94<br>Richard B. White, elected 10/94<br>10 Austin Road | 1997 | 1997 |
| 8. | Francis Fraz Fraine<br>24 Floyd Street | 1996 | 1995 |
| 9. | Rino Moriconi<br>48 Elizabeth Road | 1996 | 1996 |
| 10. | Patricia Rosetti<br>11 Norman Road | 1997 | 1997 |

# WARRANT FOR
# ANNUAL TOWN ELECTION
# BILLERICA, MASSACHUSETTS

Middlesex, ss:

To Any Constable in the Town of Billerica:

Greetings:

You are hereby authorized and required to notify and warn the inhabitants of said Town of Billerica, qualified by law, to vote in Elections and Town Affairs, to meet at the Parker School, Billerica Center; Solomon Gunther Hajjar School, North Billerica; Ditson School, Pinehurst; Eugene C. Vining School, Nutting Lake; and the John F. Kennedy School, East Billerica at 10:00 A.M., Saturday April 9, 1994, to bring in their votes on one ballot for the following Town Officers:

One member of the Board of Selectmen, One Moderator, One member of the School Committee, One member of the Regional Vocational School District Committee, Two members of the Planning Board, all for three years; One member of the Billerica Housing Authority for five years; One member of the Board of Selectmen for an unexpired term of two years;

Also for the election of Twenty-four (24) Town Meeting Members for Precinct One; Twenty-five (25) Town Meeting Members for Precinct Three; Twenty-three (23) Town Meeting Members for Precinct Six; Twenty-three (23) Town Meeting Members for Precinct Eight; Twenty-four (24) Town Meeting Members for Precinct Nine; Twenty-five (25) Town Meeting Members for Precinct Ten.

Seven (7) Town Meeting Members for Precinct Two; Eight (8) Town Meeting Members for Precinct Four; Seven (7) Town Meeting Members for Precinct Five; Nine (9) Town Meeting Members for Precinct Seven, all for three years;

One (1) Town Meeting Member for an unexpired term of two years for Precinct Four; Two (2) Town Meeting Members for an unexpired term of one year for Precinct Four; Three (3) Town Meeting Members for an unexpired term of two years for Precinct Five; Two (2) Town Meeting Members for an unexpired term of one year for Precinct Seven;

Also to vote on the following question:

QUESTION #1: Proposed Amendment to the Billerica Home Rule Charter: "Shall the Town approve the Charter amendment passed by the Town Meeting summarized below?"

**SUMMARY**

Town Meeting, at the October 5, 1993 Special Town Meeting, voted that the Billerica Home Rule Charter Section 3-1, Sub-section G be amended by deleting "twenty-five percent of the total vote cast for the office" and inserting "twenty-five percent of the total ballots cast in the election."

And you are hereby directed to serve this Warrant by posting true and attested copies thereof, one copy at the East Billerica Fire Station; one copy at the Ninety-Nine Restaurant, Lexington Road; one copy at the Pizza Hut, Boston Road; one copy at the Nutting Lake Post Office; one copy at the North Billerica Post Office; one copy at Jim's Automotive/Fahey Gulf Station, Nashua Road; one copy at DeMoulas Market, Towne Plaza, Boston Road; one copy at the Center Post Office, Boston Road; one copy at the Pinehurst Post Office; one copy at the North Billerica Fire Station; one copy at the Town Hall, Boston Road; and one copy at the Billerica Public Library.

Given under our hands this 7th day of March, 1994.

BILLERICA BOARD OF SELECTMEN:
S/Arthur L. Doyle, Chairman
S/Thomas H. Conway, Jr.
S/Ralph M. Krau, Secretary
S/Brion M. Cangiamila

A True Copy
ATTEST:
S/John Harring, Constable, Town of Billerica

March 30, 1994

Shirley E. Schult, CMC
Town Clerk
Town Hall
Billerica, MA 01821

Dear Mrs. Schult:

I have posted the WARRANT for the ANNUAL TOWN ELECTION to be held on Saturday, April 9, 1994 at the following locations:

East Billerica Fire Station
Ninety-Nine Restaurant, Lexington Road
Pizza Hut, Boston Road
Nutting Lake Post Office
North Billerica Post Office
Jim's Automotive/Fahey's Gulf Station, Nashua Road
DeMoulas Market, Town Plaza, Boston Road
Center Post Office, Boston Road
Pinehurst Post Office
North Billerica Fire Station
Town Hall
Billerica Public Library

Signed:
S/John Harring
Constable, Town of Billerica

# TOWN ELECTION - APRIL 9, 1994
# BILLERICA, MASSACHUSETTS

| | Pr. 1 | Pr.2 | Pr.3 | Pr.4 | Pr. 5 | Pr. 6 | Pr. 7 | Pr. 8 | Pr. 9 | Pr.10 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **SELECTMAN, 3-Yrs. - Vote 1** | | | | | | | | | | | |
| Patricia C. Fleming | 76 | 72 | 96 | 94 | 103 | 95 | 79 | 63 | 110 | 119 | 907 |
| * James F. O'Donnell, Jr. | 159 | 181 | 140 | 105 | 168 | 122 | 147 | 123 | 153 | 153 | 1,451 |
| Bernard F. Hoar | 93 | 232 | 84 | 110 | 157 | 134 | 112 | 181 | 116 | 139 | 1,358 |
| Mary V. Wiroll | 128 | 80 | 78 | 79 | 89 | 140 | 128 | 89 | 82 | 102 | 995 |
| Scatterings | | 4 | 2 | 1 | 1 | 4 | 1 | 2 | 1 | | 16 |
| Blanks | 15 | 21 | 14 | 12 | 23 | 24 | 18 | 11 | 17 | 16 | 171 |
| Total | 471 | 590 | 414 | 401 | 541 | 519 | 485 | 469 | 479 | 529 | 4,898 |
| **SELECTMAN, 2-Yrs. - Vote 1** | | | | | | | | | | | |
| Michael E. McLaughlin, Jr. | 201 | 222 | 184 | 142 | 164 | 250 | 177 | 167 | 162 | 156 | 1,825 |
| * Edward J. Hurd | 200 | 288 | 170 | 203 | 299 | 219 | 244 | 241 | 254 | 320 | 2,438 |
| Denise Kulins | 28 | 29 | 26 | 26 | 30 | 18 | 33 | 24 | 24 | 15 | 253 |
| Bernard W. Hart, Jr. | 14 | 23 | 16 | 16 | 19 | 22 | 15 | 22 | 12 | 23 | 182 |
| Scatterings | 4 | 2 | 2 | | 1 | 2 | | 3 | 2 | | 16 |
| Blanks | 24 | 26 | 16 | 14 | 28 | 8 | 16 | 12 | 25 | 15 | 184 |
| Total | 471 | 590 | 414 | 401 | 541 | 519 | 485 | 469 | 479 | 529 | 4,898 |
| **MODERATOR, 3-Yrs. - Vote 1** | | | | | | | | | | | |
| * Maureen M. Sullivan | 359 | 452 | 317 | 302 | 412 | 359 | 358 | 344 | 351 | 408 | 3,662 |
| Scatterings | 3 | 6 | 9 | 3 | 5 | 12 | 4 | 4 | 8 | 1 | 55 |
| Blanks | 109 | 132 | 88 | 96 | 124 | 148 | 123 | 121 | 120 | 120 | 1,181 |
| Total | 471 | 590 | 414 | 401 | 541 | 519 | 485 | 469 | 479 | 529 | 4,898 |
| **PLANNING BOARD, 3-Yrs. - Vote 2** | | | | | | | | | | | |
| * Dianne Bonnell | 248 | 312 | 223 | 209 | 293 | 235 | 269 | 250 | 264 | 262 | 2,565 |
| Carmelo Migliore | 130 | 161 | 120 | 130 | 163 | 148 | 152 | 142 | 137 | 139 | 1,422 |
| * Robert C. Norman | 267 | 315 | 207 | 235 | 282 | 267 | 213 | 261 | 244 | 298 | 2,589 |
| Scatterings | 2 | 1 | | 1 | 2 | 5 | 2 | 1 | 1 | 3 | 18 |
| Blanks | 295 | 391 | 278 | 227 | 342 | 383 | 334 | 284 | 312 | 356 | 3,202 |
| Total | 942 | 1,180 | 828 | 802 | 1,082 | 1,038 | 970 | 938 | 958 | 1,058 | 9,796 |

| | Pr. 1 | Pr.2 | Pr.3 | Pr.4 | Pr. 5 | Pr. 6 | Pr. 7 | Pr. 8 | Pr. 9 | Pr.10 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **SCHOOL COMMITTEE, 3-Yrs. - Vote 1** | | | | | | | | | | | |
| Diana D. J. Dagavarian | 196 | 219 | 146 | 168 | 226 | 186 | 218 | 163 | 198 | 199 | 1,919 |
| * Robert W. Keough | 235 | 324 | 238 | 213 | 290 | 288 | 225 | 275 | 238 | 286 | 2,612 |
| Scatterings | 2 | 6 | 1 | | 4 | | 1 | 1 | | | 15 |
| Blanks | 38 | 41 | 29 | 20 | 21 | 45 | 41 | 30 | 43 | 44 | 352 |
| Total | 471 | 590 | 414 | 401 | 541 | 519 | 485 | 469 | 479 | 529 | 4,898 |
| **HOUSING AUTHORITY, 5-Yrs. - Vote 1** | | | | | | | | | | | |
| Milton Saunders | 80 | 224 | 71 | 57 | 83 | 125 | 81 | 95 | 86 | 88 | 990 |
| * William H. Flaherty, Jr. | 334 | 299 | 281 | 287 | 381 | 295 | 341 | 305 | 325 | 360 | 3,208 |
| Scatterings | 3 | | 1 | 1 | | 2 | | | 2 | | 9 |
| Blanks | 54 | 67 | 61 | 56 | 77 | 97 | 63 | 69 | 66 | 81 | 691 |
| Total | 471 | 590 | 414 | 401 | 541 | 519 | 485 | 469 | 479 | 529 | 4,898 |
| **REGIONAL VOCATIONAL SCHOOL DISTRICT COMMITTEE, 3-Yrs. - Vote 1** | | | | | | | | | | | |
| * Kenneth L. Buffum | 324 | 433 | 305 | 281 | 399 | 342 | 339 | 329 | 337 | 375 | 3,464 |
| Scatterings | 3 | 5 | 9 | 5 | 1 | 5 | 2 | 5 | 2 | 4 | 41 |
| Blanks | 144 | 152 | 100 | 115 | 141 | 172 | 144 | 135 | 140 | 150 | 1,393 |
| Total | 471 | 490 | 414 | 401 | 541 | 519 | 485 | 469 | 479 | 512 | 4,898 |
| **Question #1, Charter Change, Section 3-1, Sub-Section G** | | | | | | | | | | | |
| * Yes | 263 | 339 | 222 | 250 | 326 | 285 | 268 | 267 | 252 | 324 | 2,796 |
| No | 120 | 141 | 116 | 86 | 130 | 115 | 115 | 113 | 126 | 104 | 1,166 |
| Blanks | 88 | 110 | 76 | 65 | 85 | 119 | 102 | 89 | 101 | 101 | 936 |
| Total | 471 | 590 | 414 | 401 | 541 | 519 | 485 | 469 | 479 | 529 | 4,898 |

* = Elected

**PRECINCT 1—TOWN MEETING MEMBERS (Vote 24)**

| | | |
|---|---|---|
| * | Maurice J. Houlne | 228 |
| * | Joseph E. Silva | 222 |
| * | Anthony Barbere | 200 |
| * | Gordon C. Brainerd | 246 |
| * | Phyllis M. Stephens | 204 |
| * | Maria Salvato | 184 |
| * | Paul E. Shibles | 188 |
| * | Barbara G. Norman | 214 |
| * | John S. King | 195 |
| * | Roger Biagiotti, Jr. | 262 |
| * | George A. Merrill, Jr. | 198 |
| * | Rosario Celeste, Jr. | 227 |
| * | Rita T. (Reeny) McKenney | 216 |
| * | Sandy Larsen-Souza | 197 |
| * | Mary V. Wiroll | 287 |
| * | Gary S. Higgins | 223 |
| | Scatterings | 53 |
| | Blanks | 7,760 |
| | Total | 11,304 |

**PRECINCT 2—TOWN MEETING MEMBERS (Vote 7)**

**3 - Year Term:**

| | | |
|---|---|---|
| * | Thomas J. Ferraro | 351 |
| * | Carol D. Wood | 356 |
| * | James P. Haines | 302 |
| * | Martin E. Conway | 398 |
| * | Walter R. Clark | 259 |
| * | William Paskiewcz, Jr. | 366 |
| * | Jeanne Lagallo | 316 |
| | Alan Ramos | 254 |
| | Scatterings | 14 |
| | Blanks | 1,514 |
| | Total | 4,130 |

**PRECINCT 3—TOWN MEETING MEMBERS (Vote 25)**

| | | |
|---|---|---|
| * | Lillian J. Arsenault | 228 |
| * | Susan D. Moreira | 245 |
| * | Robert Lazot | 213 |
| * | Norman H. Hall | 224 |
| * | Gilbert A. Moreira | 228 |
| * | David Brownell | 197 |
| * | Ralph Morrison | 227 |
| * | Marie C. Loughlin | 193 |
| * | Daniel Frobese | 205 |
| * | William J. Eggleston | 190 |

| | | |
|---|---|---|
| * | Lawrence R. Norman | 204 |
| * | Barbara Joyce Carney | 217 |
| * | John F. Gray, Jr. | 236 |
| | Scatterings | 60 |
| | Blanks | 7,483 |
| | Total | 10,350 |

**PRECINCT 4—TOWN MEETING MEMBERS (Vote 8)**
**3 - Year Term:**

| | | |
|---|---|---|
| * | Joseph E. LeBlanc | 217 |
| * | Robert C. Norman | 238 |
| * | Patricia M. Barbarossa | 229 |
| * | Lorraine Lally | 196 |
| * | Scott W. Winchell | 226 |
| * | Vincent D. MacDonald | 199 |
| * | Robert D. Killeen | 213 |
| | Scatterings | 28 |
| | Blanks | 1,662 |
| | Total | 3,208 |

**PRECINCT 4—TOWN MEETING MEMBERS (Vote 1)**
**2 - Year Unexpired Term:**

| | | |
|---|---|---|
| | Scatterings | 17 |
| | Blanks | 384 |
| | Total | 401 |

**PRECINCT 4—TOWN MEETING MEMBERS (Vote 2)**
**1 - Year Unexpired Term:**

| | | |
|---|---|---|
| * | William R. Sievert | 230 |
| | Scatterings | 18 |
| | Blanks | 554 |
| | Total | 802 |

**PRECINCT 5—TOWN MEETING MEMBERS (Vote 7)**
**3 - Year Term:**

| | | |
|---|---|---|
| * | Madeline T. Sargent | 329 |
| * | T. Josephine Leary | 261 |
| * | Michael A. Tammaro | 366 |
| * | Donald L. Fay | 292 |
| * | Ralph M. Krau | 291 |
| * | Brion M. Cangiamila | 324 |
| * | Lisa E. Sanford | 275 |
| | Scatterings | 27 |
| | Blanks | 1,622 |
| | Total | 3,787 |

**PRECINCT 5—TOWN MEETING MEMBERS (Vote 3)**
**2 - Year Unexpired Term:**

| | | |
|---|---|---|
| * | John E. Farmer | 306 |
| * | Scott Freitas | 324 |
| * | Richard Vergato | 88 |
| | John McKenna | 39 |
| | Scatterings | 16 |
| | Blanks | 850 |
| | Total | 1,623 |

**PRECINCT 6—TOWN MEETING MEMBERS (Vote 23)**

| | | |
|---|---|---|
| * | Karen A. Miller | 196 |
| * | Phyllis A. MacDonald | 222 |
| * | Thomas H. Conway, III | 246 |
| | Richard C. Morey | 150 |
| * | Dorothy M. Callihan | 218 |
| * | Sally S. Markarian | 198 |
| * | Malcolm P. McDowell | 152 |
| * | Doris E. Schultz | 185 |
| * | John J. McKenna | 215 |
| * | Linda M. Dickinson | 181 |
| * | David Saviano | 164 |
| * | Edward R. McLaughlin | 254 |
| * | Richard D. Tracey, Jr. | 183 |
| * | Christopher V. Riel | 154 |
| * | Walter W. Arakelian | 169 |
| * | Cynthia K. McDowell | 170 |
| * | Nancy J. Peverill | 169 |
| | Stephen R. Dresser | 129 |
| * | Rosemary E. Saviano | 182 |
| | Ernest Rahn | 124 |
| * | Louise M. French | 170 |
| * | Matthew McLaughlin | 188 |
| * | Donald F. MacDonald | 185 |
| * | Cosmo D. Cavicchio, Jr. | 198 |
| | Pierre J. Allain | 150 |
| * | Paul R. Harper | 178 |
| | Bruce Henden | 127 |
| * | David J. McLaughlin | 222 |
| | Scatterings | 15 |
| | Blanks | 6,843 |
| | Total | 11,937 |

**PRECINCT 7—TOWN MEETING MEMBERS (Vote 9)**
**3 - Year Term:**

| | | |
|---|---|---|
| * | William R. Lee | 231 |
| * | Richard B. White | 220 |
| * | Joseph Sharrock | 228 |
| * | Diane J. DePaso | 241 |
| * | Barbara A. Flynn | 274 |
| * | Jean M. Card | 233 |
| * | Ralph J. McKenna | 268 |
| * | Francis C. Mandarano, Jr. | 205 |
| | Laurie S. Burgoyne | 195 |
| | Leon Seymour | 158 |
| * | Gloria M. McKenna | 263 |
| | Scatterings | 3 |
| | Blanks | 1,846 |
| | Total | 4,365 |

**PRECINCT 7—TOWN MEETING MEMBERS (Vote 2)**
**1 - Year Unexpired Term:**

| | | |
|---|---|---|
| | Scatterings | 31 |
| | Blanks | 939 |
| | Total | 970 |

**PRECINCT 8—TOWN MEETING MEMBERS (Vote 23)**

| | | |
|---|---|---|
| * | John Coyne | 180 |
| * | Barbara Morrissey | 194 |
| * | Brian P. Crowley | 169 |
| * | Bernard F. Hoar | 280 |
| * | Allan A. Arakelian | 166 |
| * | John L. Noonan | 169 |
| * | Oren D. Hunt, Jr. | 134 |
| * | Joseph P. Shaw | 179 |
| * | Daniel C. Rosa, Jr. | 156 |
| * | George J. Simolaris, Jr. | 211 |
| * | Dean F. Jenkins | 193 |
| * | Ruthanne Allen Bossi | 197 |
| * | Estella C. Hoff | 152 |
| * | Ellen Day Rawlings | 146 |
| * | Olga S. Symes | 181 |
| * | Helen R. Knight | 181 |
| * | Jacqueline G. Gurney | 146 |
| * | Richard H. Young, II | 157 |
| * | Troy C. Opland | 184 |
| * | Susan M. Hunt | 152 |
| * | Anthony R. Iovanna | 200 |
| * | Francis Fraz Fraine | 171 |
| * | Michael P. Hoar | 17 |
| | Scatterings | 30 |
| | Blanks | 6,842 |
| | Total | 10,787 |

**PRECINCT 9—TOWN MEETING MEMBERS (Vote 24)**

| | | |
|---|---|---|
| * | Leslie A. Hannon | 229 |
| * | Nicholas J. Rosa | 219 |
| * | Dianne Bonnell | 244 |
| * | Charles L. Taylor, Jr. | 200 |
| * | Rino Moriconi | 198 |
| * | Ralph N. Newman | 199 |
| * | Cora H. Taylor | 185 |
| * | Dorothy L. Pearson | 193 |
| * | Richard G. January | 177 |
| * | Kevin J. Collins | 196 |
| * | John A. Griffin | 220 |
| * | James Patrick Lally | 207 |
| * | Patricia C. Flemming | 265 |
| * | Sidney Horlink | 214 |
| * | Marc F. Lally | 202 |
| * | Michael Rosa | 207 |
| * | Leon Benoit | 186 |
| * | Elaine T. Horlink | 257 |
| * | Patricia A. Livingston | 30 |
| * | Eldon M. Livingston | 29 |
| * | Donald E. Wilson | 27 |
| * | Evelyn H. Rose | 22 |
| | Scatterings | 17 |
| | Blanks | 7,573 |
| | Total | 11,496 |

**PRECINCT 10 - TOWN MEETING MEMBERS (Vote 25)**

| | | |
|---|---|---|
| * | Peter D. Greeley | 233 |
| * | Joan K. McNamara | 218 |
| * | Evelyn M. Haines | 250 |
| * | Devora Abramowitz | 198 |
| * | Salvatore A. Dampolo | 218 |
| * | Edward J. Hurd | 325 |
| * | Alfred R. Pearson, Jr. | 227 |
| * | Marie L. O'Rourke | 243 |
| * | Arthur L. Doyle | 266 |
| * | Carmelo Migliore | 229 |
| * | Christopher Reardon | 245 |
| * | William J. Collins | 215 |
| * | Jerry A. Houghton | 234 |
| * | Doris M. Pearson | 266 |
| * | Christopher L. Blake | 207 |
| * | Nancy L. Smith | 231 |
| * | Patricia A. Rossetti | 239 |
| | Scatterings | 24 |
| | Blanks | 9,157 |
| | Total | 13,225 |

* = Elected

A True Copy
ATTEST:

Shirley E. Schult, CMC
Town Clerk

# ANNUAL TOWN ELECTION - APRIL 9, 1994
# ELECTION WORKERS

**PRECINCT 1**

| | |
|---|---|
| Warden | D-Catherine M. Houlne |
| Clerk | R-Paula C. Baldwin |
| Deputy Warden | I-Dianne S. Bone |
| Deputy Clerk | R-Donna Jean McCoy |
| Inspector | D-Rose A. Doherty |
| Inspector | R-Iris Greenleaf |
| Deputy Inspector | D-Beverly A. Wiggins |
| Deputy Inspector | I-Ilona Wronski |

**PRECINCT 2**

| | |
|---|---|
| Warden | D-June F. DePinto |
| Clerk | R-Mary I. True |
| Deputy Warden | D-Mary Bridget Lawless |
| Deputy Clerk | R-Susan S. Gee |
| Inspector | D-Sandra A. McKenna |
| Inspector | R-John C. Gherson |
| Deputy Inspector | I-Sandra E. Crandall |
| Deputy Inspector | R-Susan Lorigan |

**PRECINCT 3**

| | |
|---|---|
| Warden | R-Joyce R. Brosnahan |
| Clerk | D-Patricia A. Donovan |
| Deputy Warden | R-Shirley J. Gullage |
| Deputy Clerk | I-Joan F. Mitza |
| Inspector | I-Carol A. Ryan |
| Inspector | D-Ralph Morrison |
| Deputy Inspector | R-Edna G. McDewell |
| Deputy Inspector | D-Ellen Day Rawlings |

**PRECINCT 4**

| | |
|---|---|
| Warden | D–Dorothy M. Ryan |
| Clerk | R–Lois E. Fayton |
| Deputy Warden | D–Barbara A. Flynn |
| Deputy Clerk | R–Dorothea M. MacNeill |
| Inspector | D–Doris R. Hanson |
| Inspector | R–Albert Gabalis |
| Deputy Inspector | D–Emma R. Columbus |
| Deputy Inspector | R–Alan J. Wright |

**PRECINCT 5**

| | |
|---|---|
| Warden | I–Karen A. Warren |
| Clerk | R–Margaret M. Hamilton |
| Deputy Warden | D–James Haines |
| Deputy Clerk | R–Genevieve Finlayson |
| Inspector | D–Mary F. Bourque |
| Inspector | R–Valti L. Merrow |
| Deputy Inspector | D–Lorraine Lally |
| | D–Dina Caraco |
| Deputy Inspector | R–Joan C. McDonald |
| | R–Theresa Chronister |

**PRECINCT 6**

| | |
|---|---|
| Warden | D-Lorraine P. Balboni |
| Clerk | R-Yoshiko A. Wright |
| Deputy Warden | D-Eleanor M. Alger |
| Deputy Clerk | R-Catherine A. Lawson |
| Inspector | I-Dorothy L. O'Brien |
| Inspector | R-Julie C. Farmer |
| Deputy Inspector | R-Nancy A. Wallin |
| Deputy Inspector | R-Barbara Woodbury |

**PRECINCT 7**

| | |
|---|---|
| Warden | R–Arthur H. MacNeill |
| Clerk | D–Donna L. MacInnis |
| Deputy Warden | R–Rachel L. Goding |
| Deputy Clerk | D–Karen M. Farmer |
| Inspector | R–Dorothy M. Pearson |
| Inspector | D–Donald J. Ryan |
| Deputy Inspector | I–Eleanor A. Sievert |
| Deputy Inspector | D–Angela DeMeo |

**PRECINCT 8**

| | |
|---|---|
| Warden | D–JoAnn B. Costedio |
| Clerk | R–Marion E. Potter |
| Deputy Warden | D–Catherine J. Mullen |
| Deputy Clerk | R–Margaret B. Ingraham |
| Inspector | D–Elda L. Medeiros |
| Inspector | R–Agnes Wain |
| Deputy Inspector | D–Leo A. Benjamen, Jr. |
| Deputy Inspector | R–Ruth P. Duarte |

**PRECINCT 9**

| | |
|---|---|
| Warden | D–Jeannette B. Rohnstock |
| Clerk | I–Jean M. Roach |
| Deputy Warden | D–Jean M. Sarno |
| Deputy Clerk | R–Bessie M. Bacon |
| Inspector | D–Kathleen B. Dumas |
| Inspector | R–M. Eileen Cotter |
| Deputy Inspector | I–Mary J. Sarno |
| Deputy Inspector | R–Hanako Tajima |

**PRECINCT 10**

| | |
|---|---|
| Warden | R–Barbara Reinecker |
| Clerk | D–Alice A. Haines |
| Deputy Warden | I–James V. Hoyt |
| Deputy Clerk | D–Barbara G. Norman |
| Inspector | R–Earle F. Merrow |
| Inspector | D–Margaret DePietro |
| Deputy Inspector | I–Betsy M. Burton |
| Deputy Inspector | I–Ellen L. Bordieri |

# WARRANT FOR
# SPECIAL TOWN MEETING
# MAY 5, 1994

Middlesex, ss:

To Any Constable in the Town of Billerica:

Greetings:

You are hereby authorized and required to notify and warn the inhabitants of said Town of Billerica qualified by law to vote in Elections and Town affairs, to meet at the Maurice A. Buck Memorial Auditorium, Town Hall, 365 Boston Road, Billerica, MA., on Thursday, May 5, 1994 at 8:00 p.m. and then and there vote the following articles:

**ARTICLE 1**

To see if the Town will vote to raise and appropriate (or) transfer from available funds the sum of $100,000.00 to fund the Collective Bargaining Agreement between the Town of Billerica and the Billerica Professional Administrators Association (B.P.A.A.);

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

**ARTICLE 2**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of $1,000,000.00 to fund deficits in the 1993/94 budget;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

**ARTICLE 3**

To see if the Town will vote to raise and appropriate, transfer from available funds the sum of $3,000 to purchase plantings for Contribution Park;

or act in relation thereto.

Submitted by Ralph Krau, Chairman, Board of Selectmen.

**ARTICLE 4**

To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of $13,000 to print and mail the 1994/95 Town/School Budgets to Town Meeting Representatives;

or act in relation thereto.

Submitted by Brion M. Cangiamila, Board of Selectmen.

**ARTICLE 5**

To see if the Town would raise, appropriate or borrow six (6) million dollars for the Sewer Extension Committee to design and construct between five (5) to ten (10) miles of lateral sewer lines;

or act in relation thereto.

Submitted by the Town Administrator and the Sewer Extension Committee.

**ARTICLE 6**

To see if the Town will vote to appropriate a sum of money for the construction or reconstruction of sewers, sewerage systems and sewage treatment and disposal facilities; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise;

and to take any other action relative thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

**ARTICLE 7**

To see if the Town will accept the provisions of Section 83 of Chapter 71 of the Acts of 1993, as amended, known as the "Education Reform Act of 1993" to provide for an Early Retirement Incentive Program for the members of the Massachusetts Teachers' Retirement System employed by the Billerica Public Schools, with said program to include a five-year additional credit for age, service, or a combination thereof;

or act in relation thereto.

Submitted by the Billerica School Committee.

**ARTICLE 8**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of $2.4 million for the purpose of performing capital improvements, and purchasing equipment for all the Billerica Public School Buildings;

or act in relation thereto.

Submitted by the Billerica School Committee.

**ARTICLE 9**

To authorize the Billerica School Committee to operate a BEAM Revolving Fund for 1994-95 under G.L. C44, Section 53, one-half for the purpose of receiving insurance, Medicaid reimbursements for Special Education students, and other revenues, and spending monies to operate programs in an amount not to exceed $400,000;

or act in relation thereto.

Submitted by the Billerica School Committee.

**ARTICLE 10**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation establishing the Billerica Financial Development Corporation;

or act in relation thereto.

Submitted by William G. Greene, Jr., Petitioner and Messrs. Bullock, Leverone, Tonini, Cerrato, Collins, Anastasi, Higgings, Jr., Thorlton and Madame Bone.

**ARTICLE 11**

To see if the Town will vote to accept Chapter 481 of the Acts of 1993. This law allows cities and towns to permit common victualers licensed to sell wine and malt beverages under MGL Chapter 138, Section 12 to also sell LIQUEURS AND CORDIALS subject to written approval;

or act in relation thereto.

Submitted by the Board of Selectmen.

**ARTICLE 12**

To see if the Town will vote to accept Sections 61A and 61B of Chapter 31, Section 58 which invokes the provisions of Chapter 311 of the Acts of 1989 which eliminates the maximum hiring age of 32 for public safety positions, specifically for Paul J. Gallagher, Jr;

or act in relation thereto.

Submitted by Brian Luttrell, Petitioner, and Messrs. Pfaff, Jr., Elmore, Conway, Opland, Byrnes, MacDonald, Conners, Roche, Jr., and Madame Dagle.

**ARTICLE 13**

To see if the Town will enforce the provisions of the Charter, Section 1-4, by directing the Board of Selectmen to effect the appropriate action against certain police officers for non-compliance with same in the matter of the arrest and seizure of property of a resident of Billerica, to wit, Leon St. Hilaire;

or act in relation thereto.

Submitted by Leon St. Hilaire, Petitioner and Messrs. Johnson, Hobbs, LaRosa, Turbie, Lucacio, Caporale, Thorlton, Rose and Madame Wiroll.

**ARTICLE 14**

To see if the Town will vote to delete Article 6, Section 24 of the General By-Laws and move it to Article 24 as Section 8 of the General By-Laws;

or act in relation thereto.

Submitted by Richard Young, Chairman of the By-Law Review Committee.

**ARTICLE 15**

To see if the Town will vote to move Article 4, Section 2 of the General By-Laws to Article 6, Section 15 of the General By-Laws and re-number the current Article 6, Section 15 of the General By-Laws as Article 6, Section 15E;

or act in relation thereto.

Submitted by Richard Young, Chairman of the By-Law Review Committee.

**ARTICLE 16**

To see if the Town will delete Article 7 of the General By-Laws and replace it with Article 6, Section 21, parts 1-13, Article 6, Section 23 parts a-d and Article 4, Section 1, all of which are General By-Laws, to be titled Animals;

or act in relation thereto.

Submitted by Richard Young, Chairman of the By-Law Review Committee.

**ARTICLE 17**

To see if the Town will vote to delete Article 4 of the General By-Laws and replace it with the following Article IV:

1. Public Way

   1.1 Whoever's property abuts a sidewalk shall be responsible for removal of all snow from said sidewalk with twenty-four (24) hours after said storm ends and after sidewalk is cleared by the Town. It shall be the property owner's responsibility to keep the sidewalk clear and passable until all snow from said storm

disappears. Any such property owner who fails to remove snow from sidewalks abutting their property, shall forfeit and pay a sum of Ten Dollars for each offense.

2. No person shall by any means plow, push or discharge in any way, snow or ice onto any street or way in the Town from adjoining private property so as to cause a hazard to public safety.

   2.1 Violation of this Section is punishable by a fine of $100.00 for each offense.

   2.2 This By-Law shall be enforced on behalf of the Town by its Police Department which shall have the right to issue a citation to any and all persons in violation of the by-law.

3. Whenever a new housing development, sewage improvement, new sidewalks are put in or any kind of construction disrupts an existing sidewalk, curb cuts (sidewalk ramps) shall be added in accordance with regulations issued by the Architectural Access Board pursuant to Section 13A of Chapter 22 of the Mass. General Laws.

4. Adequate Access
   This section shall govern the use of unaccepted ways, excluding those ways approved under the Subdivision Control Law, for access-Section 6 to building lots in the Town of Billerica. All new buildings, excluding accessory structures, additions, and alterations, shall have frontage on ways which provide adequate access. Unaccepted ways shall meet the Department of Public Works street standards in order to be judged adequate access.

   No building permits shall be issued until plans for construction of the way have been approved by the Department of Public Works Director. The layout and design of the way shall be stamped by a Professional Engineer and shall demonstrate compliance with the Department of Public Works street standards. The way shall be improved from the nearest way in existence, which meets standards acceptable to the Director of Public Works, for the entire length of the way up to and including the minimum lot frontage required under zoning.

   No occupancy permit shall be issued until the road is complete and full compliance with Department of Public Works standards. A bond or other form of security cannot act as a substitute for completion of the way.

   In addition, all necessary wetland approvals shall be obtained for road construction prior to issuance of any road opening permits as applicable.

   The Department of Public Works Director may grant a Certificate of Waiver from Department of Public Works standards in cases where the unaccepted way meets acceptable construction standards at the time of permit application. If a request for a Certificate of Waiver is denied, the Department of Public Works Director will issue a denial letter. The decision to approve or deny may be appealed within twenty (20) days of the decision date to the Board of Selectmen be either the applicant or any property owner along the subject way. Failure to act on the appeal within thirty (30) days of receipt shall constitute constructive approval.

5. Numbering of Buildings

   5.1 All residences and business in the Town of Billerica, shall be numbered consecutively from one end of the street or way to the other.

      A. The buildings on one side shall be even numbered, the buildings on the opposite side shall be odd numbered.

   5.2 All numbering shall be done under the supervision of the Public Works Superintendent.

   5.3 The Public Works Superintendent when necessary may change the existing numbering of a building.

   5.4 All vacant lots shall be assigned a number.

      A. The numbers shall be assigned in accordance with the applicable frontage requirements as specified in the zoning By-Laws.

   5.5 All property owners shall be notified in writing of their assigned or changed number.

      A. All assigned or changed numbers shall be conspicuously posted on the front of a building within 10 days of notification.

      B. That building shall not thereafter use any other number.

   5.6 Any building hereafter erected shall bear the number assigned to its lot under this by-law.

5.7 Any person, firm or corporation violating Section 7 of this by-law after receiving notice, shall be liable to a fine not exceeding $25.00.

5.8 Definitions

A. Buildings: Residences, public places and places of business.

6. Laying Out and Accepting Streets/Roadways/DPW Publicways

6.1 This By-Law controls the laying out, widening, altering or discontinuing of all streets and roadways in the Town of Billerica, except those that are under the jurisdiction of Middlesex County and/or the Commonwealth of Massachusetts.

6.2 All streets and roadways developed under the control of the Planning Board, will meet the design and construction standards specified in the approved Rules and Regulations Governing the Subdivision of land in Billerica, MA., before they are submitted to Town Meeting for acceptance. Concurrent with their request for acceptance, the Planning Board will provide a complete and current record plan and profile to the Board of Selectmen, having previously been signed and approved by the Public Works Superintendent, Town Engineer and the Planning Board Engineer, for majority approval and signature. After approval, by the Board of Selectmen, the record plan and profile will be date and time filed with the Town Clerk. The Planning Board shall prepare a report to the Rules and Regulations that might apply. Upon acceptance at Town Meeting, the plan and profile will be returned to the Planning Board to be held until further action is taken.

6.3 All proposed changes as defined in Section 1 to existing Town accepted streets/roadways will be submitted by petition to the Board of Selectmen. Attached to the petition will be a plan and profile, prepared by a Registered Professional Engineer, signed and approved by the Town Engineer and the Public Works Superintendent. A layout plan ONLY will be required to discontinue a street/roadway. After majority approval and signature of the plan and/or profile by the Board of Selectmen, it will be date and time filed with the Town Clerk. Upon acceptance at Town Meeting, the plan and/or profile will be transferred to the Engineering Section of the Public Works Department to be retained as a permanent record. If it is not accepted at Town Meeting, the plan and/or profile will not be returned to the petitioner.

6.4 All streets/roadways within the Town bounds which have never been accepted by the Town, may be submitted to the Board of Selectmen for acceptance by the Town Meeting. A petition signed by at least ten (10) registered voters will be submitted to the Board of Selectmen. Each petition will be accompanied by an agreement signed by all property owners who claim no damages or will release their damages and a listing of names of all other property owners who decline to release and the damage claimed by them. Accompanying this petition will be a plan and profile, which has been prepared by a Registered Professional Engineer, of said street/roadway. The plan and profile will be approved by a majority of the Board of Selectmen. The petition along with the plan and profile will be approved by a majority of the Board of Selectmen and placed on file with the Town Clerk, who will attest the date it was filed.

After the street/roadway has been accepted at Town Meeting, the plan and profile will be retained in the Engineering Section of the Public Works Department as a permanent record. If the street/roadway is not accepted at Town Meeting, the plan and profile will be returned to the petitioner.

6.5 The Superintendent of Public Works shall, with the approval to the Town Administrator and the Board of Selectmen, establish Rules and Regulations for the development of streets/roadways which are not developed but which are opened up; virtually impassable; have inadequate access; access is non-existent; or the existing street/roadway required construction to provide safe access. These Rules and Regulations shall be updated as necessary;

or act in relation thereto.

Submitted by Richard Young, Chairman, By-Law Review Committee.

**ARTICLE 18**

To see if the Town will vote to delete Article 8 and 19 of the General By-Laws and replace them with the following new Article 8:

## ARTICLE VII
## PUBLIC UTILITIES

1. Water

   1.1 The Superintendent of Public Works shall, with the approval of the Administrator and the Board of Selectmen, establish Rules and Regulations for the conduct of business of the Water Division of the Department of Public Works. All customers shall be bound to take water only for the purposes stated in the application of the customer and in accordance with these Rules and Regulations. These Rules and Regulations shall be updated as necessary. This section shall not apply to any residence now served by an existing Town water system.

2. The Town of Billerica shall levy special assessments to meet the whole or part of the cost incurred of laying water pipes in public and private ways for the conveyance or distribution of water to its inhabitants.

   2.2 An owner of land, which receives benefit from the laying of water pipes in public and private ways on which his land abuts. or which by more remote means, receives benefits or benefits through the supply of water to this land or buildings, shall pay a proportionate part of the cost not already assessed of extending such water supply to this land.

   2.3 The amount to be charged against each parcel of land receiving such benefit shall include the cost of the pipes and other material and the labor in laying them and other expenses incidental thereto and shall be ascertained, assessed and certified by the office in charge of the supply and distribution of water in the Town of Billerica.

3. Any person applying for water service (from any main or main extension that has been installed under the plan set forth in Article 4 of the Warrant for the Special Town Meeting of May 9, 1949, or that has been installed under any plan whereby the Town has shared in the expense of such installation by furnishing labor or material, or that has been installed by a developer to satisfy the requirements of subdivision regulations) shall, unless he has paid an initial payment (at the time such main or main extension was installed, or was a party to the installation to an extent that in the opinion of the Superintendent of Public Works or his designee he should be considered exempt therefrom,) pay the Town an entrance fee as established in the Rules and Regulations from the conduct of business of the Water Division of the Department of Public Works prior to the installation of such service. Exemptions from these entrance fees may be made when, in the opinion of the Superintendent of Public Works such an exemption is necessary to relieve a hardship or serve the best interest of the Town, and is documented per the Rules and Regulations.

4. Sewers

   4.1 The owner of any building upon land abutting on a public or private way, in which there is a common sewer, shall be required to connect the same therewith by a sufficient drain to the common sewer system within five (5) years from the time said sewer line passes their property or the effective date of this By-Law whichever is later; any such owner or occupant who fails to comply with this By-Law shall be punished by a fine of not more than Fifty ($50.00) dollars.

5. All property owners whose property did not abut the common sewer system prior to the effective date of this amendment shall be required to connect therewith by a sufficient drain to the common sewer system within Two (2) years from the time the said sewer line passes their property, or the effective date of this amendment, whichever is later.

6. The owner of any structure situated on premises which abut a sewer line, who has entered into an agreement to sell said property, shall be required to tie-in to the said sewer line prior to the completion of the sale of said property;

   or act in relation thereto.

Submitted by Richard Young, Chairman, By-Law Review Committee.

**ARTICLE 19**

To see if the Town will vote to re-zone from Industrial and Rural Residential District to a Rural Residential and Industrial District the whole or any part of land owned by Suburban Park Trust et al on Linnell Circle.

Parcels A and B to be rezoned from an Industrial District to a Rural Residential District.

Parcel C to be rezoned from a Rural Residential District to an Industrial District.

Land bounded and described as follows:

**Legal Description for Re-Zoning**
**Linnell Circle, Billerica**

**Parcel A**

A certain parcel of land in Billerica beginning at a point on the northerly side of Linnell Circle at the P.C. of the cul-de-sac; thence N58° 03' 51"W, twenty-six and 04/100 (26.04) feet to a point; thence N 58° 56' 15"W, two hundred and thirty-five and 62/100 (235.62) feet to a point; thence S 41° 26' 17"E, one hundred and thirty-three and 13/100 (133.13) feet to a point; thence S 58° 57' 16"E, eighty-one and 04/100 (81.04) feet to a point at the side line of Linnell Circle; thence along Linnell Circle on a curved line to the left with a radius of sixty and 00/100 (60.00) feet, seventy-one and 00/100 (71.00) feet to the point of beginning. Said parcel contains 6,394.15 square feet and is part of lot C-2 and Lot C-1.

**Parcel B**

A certain parcel of land in Billerica beginning at a point on the northerly sideline of Linnell Circle twenty-one and 19/100 (21.19) feet east of the lot corner between lot C-4 and lot C-5; thence S 58° 01' 21"E, one hundred and fifty-four and 59/100 (154.59) feet to a point; thence S 25° 12' 02"W, two and 72/100 (2.72) feet to a point; thence S 58° 08' 02"E, two hundred nineteen and 45/100 (219.45) feet to a point; thence S 57° 51' 58"E, fifty and 42/100 (50.42) feet to a point; thence S 58° 11' 35"E one hundred and ninety-nine and 00/100 (199.00) feet to a point; thence S 58° 11' 35"E, eighty-one and 84/100 (81.84) feet to a point; thence S 57° 29' 55"E, one hundred and twenty-one and 58/100 (121.58) feet to a point; thence along a non-tangent curved line to the left with a radius of two hundred and 00/100 (200.00) feet, two hundred and seven and 30/100 (207.30) feet to a point; thence S 65° 01' 15"E, one hundred and fifty-five and 50/100 (155.50) feet to a point; thence S 27° 17' 06"E, forty-eight and 01/100 (48.01) feet to a point; thence S 32° 17' 52"E, one hundred and fifteen and 45/100 (115.45) feet to a point; thence S 48° 25' 00"E, eighty-two and 40/100 (82.40) feet to a point; thence S 57° 24' 44"W, thirty-nine and 47/100 (39.47) feet to a point on the sideline of Linnell Circle; thence on the sideline of Linnell Circle and along a curved line to the left with a radius of two hundred and 00/100 (200.00) feet, eighty-six and 00/100 (86.00) feet to a point; thence N 48° 20' 59"W, seven hundred and thirteen and 69/100 (713.69) feet to a point; thence along a curved line to the left with a radius of five hundred and fifty and 00/100 (550.00) feet, ninety-three and 25/100 (93.25) feet to a point; thence N 58° 03' 50"W, three hundred and eighty-nine and 75/100 (389.75) feet to a point; thence along a curved line to the right with a radius of one-hundred and 00/100 (100.00) feet, forty-five and 02/100 (45.02) feet to a point, thence along a curved line to the left with a radius of one hundred and fifty and 00/100 (150.00) feet, sixty-seven and 42/100 feet to the point of the beginning. The last six courses being along the northerly sideline of Linnell Circle. Said parcel contains portions of lots C-4, C-5, B-6, B-7, B-8, B-9 & B-10 and contains 45,066.72 square feet.

**Parcel C**

A certain parcel of land in Billerica, beginning at a stone wall on the westerly sideline of Wyman Road at the land now or formerly of the Town of Billerica, thence along the sideline of Wyman Road S 15° 52' 07"W, eighty-four and 96/100 (84.96) feet to a point; thence still along the sideline of Wyman Road S 16° 45' 47"W, sixty-five and 16/100 (65.16) feet to a point; thence still along the sideline of Wyman Road S 14° 34' 53"W, fifty and 68/100 (50.68) feet to a point; thence N 79° 13' 55"W, fifty-three and 19/100 (53.19) feet to a point; thence N 83° 17' 05"W, sixty-four and 87/100 (64.87) feet to a point; thence N 68° 24' 24"W, seventy-four and 00/100 (74.00) feet to a point; thence N 68° 24' 24"W, one hundred and eight and 26/100 (108.26) feet to a point; thence N 48° 25' 00"W, twenty and 79/100 (20.79) feet to a point at lot B-10; thence along lot B-10, N 57° 24' 44"E, seventy-seven and 89/100 (77.89) feet to a point; thence still along lot B-10, N 53° 57' 18"E, one hundred and fifty-three and 59/100 (153.59) feet to a point on the stone wall at the land now or formerly of the Town of Billerica; thence S 68° 24' 24"E, forty-seven and 89/100 (47.89) feet to a point; thence S 83° 17' 05"E, forty-five and 84/100 (45.84) feet to a point; thence S 79° 13' 55"E, seventy-eight and 00/100 (78.00) feet to the point of the beginning. The last three courses being along the stone wall and the land of the Town of Billerica. Said parcel containing 49,116 square feet.

Parcels A, B, and C are shown on a "Zoning Plan" of land on Linnell Circle, Billerica, MA., prepared for Suburban Park Trust by Howe Surveying Associates, Inc., dated January 6, 1994;

or act in relation thereto.

Submitted by Paul Barbiere, Petitioner and Messrs. Penney, Mount, Norman, Moriconi, Grondin, Griffin and Madame Moriconi, Swift and Lutz.

**ARTICLE 20**

To see if the Town will vote to amend the Zoning By-Laws as follows:

1. Add a new section 3.1.6 to read:

   3.1.6 HISTORIC DISTRICTS OVERLAY DISTRICT

2. Add a new Section 4.3.4 to read:

   4.3.4 HISTORIC DISTRICTS OVERLAY DISTRICT
   All land shown on the Town's Historic Districts

Maps recorded at the Middlesex North District Registry of Deeds in Plan Book 174, Plan 103 shall be designated as an Historic Districts Overlay District.

3. Add a new section 5.14 to read:

5.14 HISTORIC DISTRICTS OVERLAY DISTRICT (HDOD)

A. Purpose: The purpose of the HDOD is to support appropriate site development in areas of Billerica which have been developed in was incompatible with certain aspects of current zoning requirements. Historically these areas were developed with buildings placed on smaller lots and with smaller yard spaces. The exceptions outlined in this section serve to foster development which is both compatible and appropriate within these areas. This district is an overlay and acts to amend the underlying district as described below:

B. Exceptions

1. In the Village Residential, Neighborhood Residential and Rural Residential Districts, a minimum open side yard space of 7 1/2 feet and a minimum averaged open front yard shall be provided. This exception acts to supersede Section 7.1 of this by-law and the corresponding listings under Section 9.5.

2. In the General Business, Neighborhood Business and Industrial Districts a minimum open side yard space of 7 1/2 feet and an averaged open yard shall be provided. In these districts the Green Strip requirement set forth under Section 7.4 and the Green Space requirements set forth under Section 7.5 shall not apply. This exception acts to supersede Sections 7.2 and 7.3 of this by-law and the corresponding listings under Section 9.5.

3. In all districts, any structure destroyed by fire or natural disaster may be rebuilt with the minimum yard spaces existing prior to such an event notwithstanding other limitations in this by-law.

C. Definitions: For the purposes of this section (5.14) the following definitions apply.

Averaged Front Yard - The front yard requirement obtained by averaging the existing front yards of the adjacent properties to the right and left of subject property. In the cases where one or both of the adjacent parcels is vacant, a twenty (20) foot front yard for the adjacent vacant parcel shall be assumed in calculating the average. In the case of corner lots, the existing front yard on the one adjacent parcel shall determine the front yard for that frontage. These rules apply irrespective of whether the adjacent parcels are in the Historic District Overlay District;

or act in relation thereto.

Submitted by Richard Young, Historic Districts Commission.

**ARTICLE 21**

To see if the Town will vote to amend the Zoning By-Law by adding the following to become Section 5.9.D.

D. Permitted Uses: In addition to the uses described under Section 2.2 all uses which are allowed by right or special permit in the General Business District shall be likewise permitted in the Adult Entertainment District;

or act in relation thereto.

Submitted by Ruthanne Bossi, Chairman, Planning Board.

**ARTICLE 22**

To see if the Town will vote to re-zone from a General Business District to an Adult Entertainment District the whole or any part of land owned by Thomas A. McGarry and Norman J. McKay in Billerica bounded and described as follows:

Beginning at a stake at the northwesterly corner of the granted premises at said Boston Road, and land of John J. Nuttall, et ux, now or formerly; thence easterly along said Nuttall land 268.51 feet, more or less, to a stake at land of one Campbell, now or formerly; thence southerly at an angle of 73 degrees 30' along said Campbell land 76.35 feet to an iron pipe in the ground; thence southerly at an angle of 192 degrees 51' along land of Fred C. Smith, now or formerly 48 feet to land of one Michalek; thence

westerly at an angle of 102 degrees 05' along said land of Michalek 163.5 feet to said Boston Road; thence northwesterly at an angle 108 degrees 35' along said Boston Road; 38 feet to a highway stone bound on said Boston Road; thence continuing northwesterly along said Boston Road by a curved line, having a radius of 1,157.14 feet, 128.60 feet to the point of beginning.

Said lot A contains 28,000 square feet, more or less, according to said plan;

or act in relation thereto.

Submitted by Ruthanne Bossi, Chairman, Planning Board.

An you are hereby directed to serve this Warrant by posting true and attested copies thereof, one copy at the East Billerica Fire Station; one copy at the Ninety-Nine Restaurant, Lexington Road; one copy at the Pizza Hut, Boston Road; one copy at the Nutting Lake Post Office; one copy at the North Billerica Post Office; one copy at Jim's Automotive/Fahey's Gulf Station, Nashua Road; one copy at DeMoulas Market, Town Plaza, Boston Road; one copy at the Center Post Office, Boston Road; one copy at the Pinehurst Post Office; one copy at the North Billerica Fire Station; one copy at the Town Hall, Boston Road; and one copy at the Billerica Public Library.

Given under our hands this nineteenth day of April, 1994.

BOARD OF SELECTMEN:
S/ Ralph M. Krau, Chairman
S/ James F. O'Donnell, Vice-Chairman
S/ Edward J. Hurd, Secretary
S/ Arthur L. Doyle
S/ Brion M. Cangiamila

A True Copy
ATTEST:

S/ John Harring
Constable, Town of Billerica

April 19, 1994

Mrs. Evelyn M. Haines
Assistant Town Administrator
Town Hall
365 Boston Road
Billerica, MA 01821

Dear Mrs. Haines:

I have posted the Warrant for the Special Town Meeting to be held on Thursday, May 5, 1994 at 8:00 P.M. at the Maurice A. Buck Memorial Auditorium, 365 Boston Road, Billerica, MA at the following locations:

East Billerica Fire Station
Ninety-Nine Restaurant, Lexington Road
Pizza Hut, Boston Road
Nutting Lake Post Office
North Billerica Post Office
DeMoulas Market, Towne Plaza, Boston Road
Center Post Office, Boston Road
Pinehurst Post Office
North Billerica Fire Station
Town Hall
Billerica Public Library, Concord Road
Jim's Automotive/Fahey's Gulf Station

Signed: S/ David R. Lasky
Constable, Town of Billerica

# WARRANT FOR
# ANNUAL SPRING TOWN MEETING
# May 3, 1994

Middlesex, ss.

To any Constable in the Town of Billerica:

Greetings:

You are hereby authorized and required to notify and warn the inhabitants of said Town of Billerica qualified by law to vote in Elections and Town Affairs, to meet at the Maurice A. Buck Memorial Auditorium, Town Hall, 365 Boston Road, Billerica, MA., Tuesday, May 3, 1994, at 7:30 p.m. and subsequent Thursdays and Tuesdays until all of the business in the warrant shall have been acted upon, then and there to vote the following articles:

**ARTICLE 1**

To see if the Town will vote to adopt, pursuant to Article 5 of the Billerica Home Rule Charter, the following proposed line item budget for fiscal year 1994-95 (FY95).

This budget was produced under the direction of the Board of Selectmen and represents a complete financial plan of all Town funds and activities that are subject to appropriation, including the budgets as requested by the School Committees (Department Account #300-5100 - #300-5800) and provisions for a Reserve Fund (Account #910-7090) administered by the Finance Committee.

The line item budget is arranged to show the actual expenditures for the current year and the proposed budget for the ensuing fiscal year. It is summarized by town agency, function and/or program including any proposed capital expenditures. The Town Administrator's detailed budget and all explanatory information is available to the Town Meeting Representatives and the general public for inspection in the Town Administrator's Office, the Public Library and the Town Clerk's Office.

The following budget, when considered by the Town Meeting, shall first be subject to amendment, if any, as may be proposed by the Finance Committee; or act in relation thereto.

Submitted by the Board of Selectmen, Town Administrator and Finance Committee.

**PROPOSED FY 95 BUDGET**

| DEPT. ACCT. | | Spent FY 92 | Spent FY 93 | Budget FY 94 | Town Mgr. FY 95 |
|---|---|---|---|---|---|
| 122-5100 | Personnel | 11,591 | 10,085 | 10,184 | 10,184 |
| 122-5400 | Supplies & Expenses | 2,954 | 2,043 | 2,043 | 2,043 |
| 122-5200 | Contract Services | 6,575 | 7,675 | 8,175 | 8,175 |
| 122-TOTAL | Board of Selectmen | 21,120 | 19,803 | 20,402 | 20,402 |
| 123-5100 | Personnel | 204,979 | 180,048 | 191,220 | 199,198 |
| 122-5400 | Supplies & Expenses | 1,382 | 0 | 0 | 0 |
| 123-5200 | Contract Services | 2,964 | 3,335 | 3,335 | 3,400 |
| 123-TOTAL | TOWN ADMINISTRATOR | 209,325 | 183,383 | 194,555 | 202,598 |
| 135-5100 | Personnel | 117,751 | 130,188 | 143,105 | 145,150 |
| 135-5400 | Supplies & Expenses | 944 | 275 | 275 | 1,675 |
| 135-5200 | Contract Services | 1,588 | 55 | 10,260 | 5,260 |
| 135-TOTAL | TOWN ACCOUNTANT | 120,283 | 130,518 | 153,640 | 152,085 |
| 145-5100 | Personnel | 241,029 | 271,114 | 195,899 | 294,675 |
| 145-5400 | Supplies & Expenses | 5,752 | 6,925 | 10,315 | 6,000 |
| 145-5200 | Contract Services | 185,400 | 98,947 | 85,582 | 76,713 |
| 145-5800 | Capital Outlay | 0 | 0 | 0 | 0 |
| 145-TOTAL | TREASURER/COLLECTOR | 432,181 | 376,986 | 391,796 | 377,388 |

| DEPT. ACCT. | | Spent FY 92 | Spent FY 93 | Budget FY 94 | Town Mgr. FY 95 |
|---|---|---|---|---|---|
| 141-5100 | Personnel | 145,740 | 166,774 | 158,673 | 176,217 |
| 141-5400 | Supplies & Expenses | 1,660 | 1,250 | 1,250 | 1,500 |
| 141-5200 | Contract Services | 41,738 | 17,230 | 14,990 | 12,415 |
| 141-5800 | Capital Outlay | 0 | 0 | 0 | 0 |
| 141-TOTAL | ASSESSOR | 189,138 | 185,254 | 174,913 | 190,132 |
| 161-5100 | Personnel | 89,485 | 98,350 | 103,865 | 108,952 |
| 161-5400 | Supplies & Expenses | 619 | 350 | 500 | 500 |
| 161-5200 | Contract Services | 2,150 | 1,865 | 2,070 | 2,085 |
| 161-5822 | Capital Outlay | 0 | 0 | 0 | 798 |
| 161-TOTAL | TOWN CLERK | 92,254 | 100,565 | 106,435 | 112,335 |
| 543-5100 | Personnel | 49,612 | 54,020 | 60,343 | 59,994 |
| 543-5400 | Supplies & Expenses | 185 | 25 | 0 | 0 |
| 543-5200 | Contract Services | 730 | 665 | 935 | 935 |
| 543-54392 | Veterans Benefits | 294,668 | 290,000 | 290,000 | 290,000 |
| 543-TOTAL | VETERANS SERVICES | 345,195 | 344,710 | 351,278 | 350,929 |
| 192-5100 | Personnel | 28,596 | 28,911 | 29,778 | 29,778 |
| 192-5400 | Supplies & Expenses | 54,473 | 47,127 | 49,047 | 50,511 |
| 192-5200 | Contract Services | 119,088 | 84,488 | 88,433 | 102,608 |
| 192-TOTAL | TOWN HALL | 202,157 | 160,526 | 167,258 | 182,897 |
| 151-5100 | Personnel | 103,831 | 0 | 0 | 0 |
| 151-5200 | Contract Services | 56,726 | 123,340 | 115,000 | 115,000 |
| 151-TOTAL | LEGAL DEPARTMENT | 160,557 | 123,340 | 115,000 | 115,000 |
| | GENERAL GOVERNMENT | 1,772,210 | 1,625,085 | 1,675,277 | 1,703,766 |
| 163-5100 | Personnel | 44,206 | 42,709 | 56,896 | 59,610 |
| 163-5400 | Supplies & Expenses | 524 | 3,913 | 4,130 | 4,561 |
| 163-5200 | Contract Services | 1,073 | 2,385 | 3,505 | 3,855 |
| 163-TOTAL | BOARD OF REGISTRARS | 45,803 | 49,007 | 64,531 | 68,026 |
| 162-5100 | Personnel | 32,990 | 39,317 | 13,067 | 43,045 |
| 162-5400 | Supplies & Expenses | 436 | 450 | 300 | 825 |
| 162-5200 | Contract Services | 9,812 | 9,432 | 5,331 | 6,660 |
| 162-5800 | Capital Outlay | 0 | 0 | 20,740 | 17,804 |
| 162-TOTAL | ELECTION DEPARTMENT | 43,238 | 49,199 | 39,438 | 68,334 |
| 175-5100 | Personnel | 54,522 | 60,623 | 73,195 | 75,351 |
| 175-5130 | Overtime | 0 | 0 | 0 | 1,500 |
| 175-5400 | Supplies & Expenses | 950 | 0 | 190 | 725 |
| 175-5200 | Contract Services | 370 | 0 | 150 | 1,050 |
| 175-5800 | Capital Outlay | 0 | 0 | 0 | 250 |
| 175-TOTAL | PLANNING BOARD | 55,842 | 60,623 | 73,535 | 78,876 |
| 176-5100 | Personnel | 22,934 | 26,545 | 27,343 | 29,533 |
| 176-5130 | Overtime | 1,435 | 600 | 1,500 | 1,500 |
| 176-5400 | Supplies & Expenses | 476 | 0 | 500 | 500 |
| 176-5200 | Contract Services | 360 | 70 | 69 | 100 |
| 176-TOTAL | BOARD OF APPEALS | 25,205 | 27,215 | 29,412 | 31,633 |

| DEPT. ACCT. | | Spent FY 92 | Spent FY 93 | Budget FY 94 | Town Mgr. FY 95 |
|---|---|---|---|---|---|
| 131-5100 | Personnel | 994 | 1,364 | 1,405 | 1,364 |
| 131-5400 | Supplies & Expenses | 139 | 50 | 50 | 50 |
| 131-5200 | Contract Services | 1,421 | 1,460 | 1,460 | 1,460 |
| 131-TOTAL | FINANCE COMMITTEE | 2,554 | 2,874 | 2,915 | 2,874 |
| 171-5100 | Personnel | 51,429 | 56,494 | 59,195 | 60,121 |
| 171-5400 | Supplies & Expenses | 488 | 156 | 156 | 156 |
| 171-5200 | Contract Services | 3,275 | 3,440 | 3,836 | 350 |
| 171-TOTAL | CONSERVATION COMMISSION | 55,192 | 60,090 | 63,187 | 60,627 |
| 541-5100 | Personnel | 22,975 | 23,742 | 37,416 | 49,639 |
| 541-5400 | Supplies & Expenses | 1,325 | 0 | 0 | 1,000 |
| 541-5200 | Contract Services | 9,862 | 8,344 | 8,344 | 15,528 |
| 541-5800 | Capital Outlay | 0 | 0 | 0 | 2,250 |
| 541-TOTAL | COUNCIL ON AGING | 34,162 | 32,086 | 45,760 | 68,417 |
| 691-5400 | Supplies & Expenses | 0 | 100 | 100 | 100 |
| 691-5200 | Contract Services | 0 | 0 | 500 | 500 |
| 691-TOTAL | HISTORICAL COMMISSION | 0 | 100 | 600 | 600 |
| 561-5400 | Supplies & Expenses | 89 | 100 | 100 | 500 |
| 561-5200 | Contract Services | 0 | 0 | 0 | 0 |
| 561-TOTAL | HANDICAP COMMISSION | 89 | 100 | 100 | 500 |
| 563-5100 | Personnel | 265 | 100 | 100 | 100 |
| 563-5400 | Supplies & Expenses | 0 | 0 | 0 | 0 |
| 563-TOTAL | HOUSING PARTNERSHIP | 265 | 100 | 100 | 100 |
| 129-5400 | Supplies & Expenses | 0 | 25 | 25 | 25 |
| 129-5200 | Contract Services | 0 | 0 | 0 | 0 |
| 129-TOTAL | CABLE ADVISORY | 0 | 25 | 25 | 25 |
| | BOARDS & COMMISSIONS | 262,350 | 281,419 | 319,603 | 379,987 |
| 210-5100 | Personnel | 2,662,918 | 2,737,725 | 2,725,073 | 2,968,321 |
| 210-5130 | Overtime | 394,930 | 345,000 | 345,000 | 235,000 |
| 210-5400 | Supplies & Expenses | 115,017 | 99,570 | 101,670 | 124,170 |
| 210-5200 | Contract Services | 45,557 | 91,075 | 116,075 | 123,600 |
| 210-5800 | Capital Outlay | 0 | 0 | 0 | 0 |
| 210-TOTAL | POLICE DEPARTMENT | 3,218,422 | 3,273,370 | 3,287,818 | 3,451,091 |
| 231-5100 | Personnel | 275,942 | 292,976 | 288,036 | 307,278 |
| 231-5130 | Overtime | 57,885 | 65,000 | 72,000 | 77,000 |
| 231-5400 | Supplies & Expenses | 13,768 | 14,563 | 14,564 | 15,474 |
| 231-5200 | Contract Services | 3,141 | 4,675 | 4,675 | 4,675 |
| 231-5800 | Capital Outlay | 79,278 | 0 | 0 | 0 |
| 231-TOTAL | AMBULANCE | 430,014 | 377,214 | 379,275 | 404,427 |
| 220-5100 | Personnel | 3,076,456 | 3,035,189 | 3,137,809 | 3,288,055 |
| 220-5131 | Overtime | 191,147 | 220,979 | 220,000 | 235,000 |
| 220-5400 | Supplies & Expenses | 78,761 | 73,700 | 85,950 | 96,150 |
| 220-5200 | Contract Services | 85,072 | 87,730 | 92,922 | 96,300 |

| DEPT. ACCT. | | Spent FY 92 | Spent FY 93 | Budget FY 94 | Town Mgr. FY 95 |
|---|---|---|---|---|---|
| 220-5800 | Capital Outlay | 0 | 0 | 0 | 8,150 |
| 220-TOTAL | FIRE DEPARTMENT | 3,431,436 | 3,417,598 | 3,536,681 | 3,723,655 |
| 291-5100 | Personnel | 6,882 | 6,882 | 7,089 | 6,882 |
| 291-5400 | Supplies & Expenses | 51 | 4,500 | 4,500 | 4,500 |
| 291-TOTAL | CIVIL DEFENSE | 6,933 | 11,382 | 11,589 | 11,382 |
| 292-5100 | Personnel | 25,789 | 25,748 | 28,593 | 28,470 |
| 292-5400 | Supplies & Expenses | 2,669 | 1,350 | 2,400 | 2,200 |
| 292-5200 | Contract Services | 3,066 | 3,184 | 3,469 | 3,769 |
| 292-TOTAL | DOG OFFICER | 31,524 | 30,282 | 34,462 | 34,439 |
| 424-5200 | Contract Services | 227,067 | 178,600 | 187,430 | 196,907 |
| 424-TOTAL | STREET LIGHTING | 227,067 | 178,600 | 187,430 | 196,907 |
| | PUBLIC SAFETY | 7,345,396 | 7,288,446 | 7,437,255 | 7,821,901 |
| 241-5100 | Personnel | 186,376 | 230,710 | 239,004 | 231,561 |
| 241-5400 | Supplies & Expenses | 2,467 | 226 | 2,500 | 2,500 |
| 241-5200 | Contract Services | 13,750 | 13,910 | 16,470 | 4,510 |
| 241-TOTAL | BUILDING DEPARTMENT | 202,593 | 244,846 | 257,974 | 238,571 |
| 244-5100 | Personnel | 4,786 | 4,786 | 4,930 | 4,930 |
| 244-5400 | Supplies & Expenses | 311 | 320 | 320 | 320 |
| 244-5200 | Contract Services | 1,096 | 1,110 | 1,110 | 1,110 |
| 244-TOTAL | SEALER OF WEIGHTS | 6,193 | 6,216 | 6,360 | 6,360 |
| | INSPECTIONS | 208,786 | 251,062 | 264,334 | 244,931 |
| 510-5100 | Personnel | 75,847 | 85,047 | 96,369 | 91,557 |
| 510-5130 | Overtime | 796 | 0 | 1,500 | 500 |
| 510-5400 | Supplies & Expenses | 1,803 | 200 | 300 | 454 |
| 510-5200 | Contract Services | 3,566 | 975 | 22,682 | 21,213 |
| 510-5800 | Capital Outlay | 0 | 0 | 250 | 2,500 |
| 510-TOTAL | BOARD OF HEALTH | 82,012 | 86,222 | 121,101 | 116,224 |
| 522-5100 | Personnel | 39,691 | 37,635 | 0 | 29,339 |
| 522-5400 | Supplies & Expenses | 1,325 | 825 | 850 | 1,475 |
| 522-5200 | Contract Services | 1,615 | 1,550 | 19,556 | 2,150 |
| 522-TOTAL | PUBLIC HEALTH NURSES | 42,631 | 40,010 | 20,406 | 32,963 |
| 525-5100 | Personnel | 0 | 0 | 0 | 0 |
| 525-5200 | Contract Services | 0 | 12,000 | 8,356 | 9,110 |
| 525-TOTAL | SANITARIAN | 0 | 12,000 | 8,356 | 9,110 |
| | PUBLIC HEALTH | 124,643 | 138,232 | 149,863 | 158,298 |
| 421-5100 | Personnel | 104,410 | 112,269 | 122,581 | 219,947 |
| 421-5130 | Overtime | 623 | 250 | 250 | 250 |
| 421-5400 | Supplies & Expenses | 2,396 | 1,750 | 2,250 | 2,250 |
| 421-5200 | Contract Services | 2,464 | 300 | 620 | 1,520 |
| 421-5800 | Capital Outlay | 0 | 0 | 0 | 4,000 |
| 421-TOTAL | PUBLIC WORKS ADMINISTRATION | 109,893 | 114,569 | 125,701 | 227,967 |

| DEPT. ACCT. | | Spent FY 92 | Spent FY 93 | Budget FY 94 | Town Mgr. FY 95 |
|---|---|---|---|---|---|
| 410-5100 | Personnel | 83,348 | 88,649 | 93,740 | 123,181 |
| 410-5400 | Supplies & Expenses | 1,676 | 1,645 | 1,850 | 1,500 |
| 410-5200 | Contract Services | 527 | 750 | 750 | 3,975 |
| 410-5800 | Capital Outlay | 0 | 0 | 0 | 1,300 |
| 410-TOTAL | PUBLIC WORKS ENGINEER | 85,551 | 91,044 | 96,340 | 129,956 |
| 422-5100 | Personnel | 378,687 | 424,603 | 431,477 | 454,641 |
| 422-5130 | Overtime | 77,972 | 68,000 | 70,040 | 70,000 |
| 422-5400 | Supplies & Expenses | 63,583 | 126,675 | 114,375 | 121,055 |
| 422-5200 | Contract Services | 168,777 | 263,500 | 279,094 | 333,094 |
| 422-TOTAL | HIGHWAY DEPARTMENT | 689,019 | 882,778 | 894,986 | 978,790 |
| 441-5100 | Personnel | 567,131 | 662,499 | 690,814 | 665,486 |
| 441-5130 | Overtime | 58,445 | 66,000 | 67,980 | 68,000 |
| 441-5400 | Supplies & Expenses | 176,409 | 209,766 | 200,366 | 269,892 |
| 441-5200 | Contract Services | 472,062 | 492,042 | 508,266 | 575,325 |
| 441-TOTAL | SEWER DEPARTMENT | 1,274,047 | 1,430,307 | 1,467,426 | 1,569,703 |
| 650-5100 | Personnel | 99,349 | 106,724 | 110,058 | 118,058 |
| 650-5130 | Overtime | 13,137 | 5,000 | 5,150 | 7,500 |
| 650-5400 | Supplies & Expenses | 16,834 | 13,425 | 16,475 | 16,900 |
| 650-5200 | Contract Services | 6,087 | 6,150 | 5,650 | 7,850 |
| 650-5800 | Capital Outlay | 0 | 0 | 0 | 29,500 |
| 650-TOTAL | PARKS AND TREES | 135,407 | 131,299 | 137,333 | 179,808 |
| 492-5100 | Personnel | 78,813 | 98,040 | 96,260 | 95,678 |
| 492-5130 | Overtime | 19,082 | 16,500 | 16,995 | 16,500 |
| 492-5400 | Supplies & Expenses | 91,107 | 121,290 | 120,990 | 125,915 |
| 492-5200 | Contract Services | 30,870 | 31,336 | 31,336 | 30,326 |
| 492-TOTAL | MOTOR EQUIPMENT | 219,872 | 267,166 | 265,581 | 268,419 |
| 453-5100 | Personnel | 392,345 | 423,869 | 436,861 | 441,677 |
| 453-5130 | Overtime | 58,103 | 40,000 | 41,200 | 41,200 |
| 453-5400 | Supplies & Expenses | 255,509 | 255,825 | 260,450 | 258,450 |
| 453-5200 | Contract Services | 574,853 | 340,680 | 340,848 | 357,548 |
| 453-5800 | Capital Outlay | 100,256 | 0 | 0 | 0 |
| 453-TOTAL | WATER TREATMENT | 1,381,066 | 1,060,374 | 1,079,359 | 1,098,875 |
| 452-5100 | Personnel | 256,272 | 270,999 | 278,843 | 279,015 |
| 452-5130 | Overtime | 49,404 | 20,000 | 20,600 | 45,000 |
| 452-5400 | Supplies & Expenses | 78,472 | 34,325 | 29,325 | 30,225 |
| 452-5200 | Contract Services | 23,960 | 27,124 | 32,041 | 26,808 |
| 452-TOTAL | WATER MAINTENANCE | 408,108 | 352,448 | 360,809 | 381,048 |
| 451-5100 | Personnel | 70,912 | 81,449 | 87,249 | 94,651 |
| 451-5130 | Overtime | 783 | 1,000 | 1,000 | 1,000 |
| 451-5400 | Supplies & Expenses | 12,542 | 9,815 | 9,815 | 9,815 |
| 451-5200 | Contract Services | 5,760 | 14,620 | 14,620 | 14,620 |
| 451-5800 | Capital Outlay | 0 | 0 | 0 | 0 |
| 451-TOTAL | WATER BILLING | 89,997 | 106,884 | 112,684 | 120,086 |
| 454-5100 | Personnel | 40,910 | 48,196 | 51,080 | 37,034 |
| 454-5130 | Overtime | 0 | 0 | 0 | 0 |

| DEPT. ACCT. | | Spent FY 92 | Spent FY 93 | Budget FY 94 | Town Mgr. FY 95 |
|---|---|---|---|---|---|
| 454-5400 | Supplies & Expenses | 4,962 | 5,225 | 5,225 | 5,225 |
| 454-5200 | Contract Services | 0 | 0 | 0 | 50,459 |
| 454-TOTAL | CROSS-CONNECTION SECTION | 45,872 | 53,421 | 56,305 | 92,718 |
| | PUBLIC WORKS | 4,428,832 | 4,490,290 | 4,596,524 | 5,047,370 |
| 300-5100 | Personnel | 19,461,276 | 19,750,638 | 19,912,500 | 22,766,262 |
| 300-5400 | Supplies & Expenses | 747,468 | 439,497 | 490,569 | 1,586,303 |
| 300-5200 | Contract Services | 4,082,896 | 4,343,883 | 4,652,250 | 4,249,702 |
| 300-5800 | Capital Outlay | 0 | 25,300 | 30,800 | 30,645 |
| 300-TOTAL | BILLERICA SCHOOLS | 24,291,640 | 24,559,318 | 25,086,119 | 28,632,912 |
| 310 | Operating Costs | 3,003,041 | 2,925,779 | 2,959,959 | 3,030,479 |
| 310-5800 | Capital Costs | 178,577 | 89,314 | 79,483 | 65,168 |
| 310-TOTAL | SHAWSHEEN TECHNICAL | 3,181,618 | 3,015,093 | 3,194,442 | 3,095,647 |
| | PUBLIC EDUCATION | 27,473,258 | 27,574,411 | 28,280,561 | 31,728,559 |
| 610-5100 | Personnel | 282,237 | 285,651 | 304,624 | 313,733 |
| 610-5400 | Supplies & Expenses | 46,947 | 42,747 | 48,147 | 50,435 |
| 610-5200 | Contract Services | 56,649 | 43,850 | 44,870 | 49,202 |
| 610-TOTAL | PUBLIC LIBRARY | 385,833 | 372,248 | 397,641 | 413,370 |
| 630-5100 | Personnel | 66,118 | 67,515 | 92,598 | 92,548 |
| 630-5400 | Supplies & Expenses | 5,372 | 2,621 | 2,621 | 3,821 |
| 630-5200 | Contract Services | 5,336 | 4,597 | 4,597 | 10,297 |
| 630-TOTAL | RECREATION DEPARTMENT | 76,826 | 74,733 | 99,816 | 106,666 |
| | RECREATION PROGRAMS | 76,826 | 74,733 | 99,816 | 106,666 |
| 491-5100 | Personnel | 115,668 | 83,346 | 90,600 | 149,521 |
| 491-5130 | Overtime | 20,239 | 17,374 | 19,315 | 19,614 |
| 491-5400 | Supplies & Expenses | 13,559 | 3,750 | 6,500 | 10,640 |
| 491-5200 | Contract Services | 8,865 | 8,729 | 10,787 | 10,399 |
| 491-5800 | Capital Outlay | 0 | 0 | 0 | 750 |
| 491 | Adjustments | (19,859) | (35,000) | (35,000) | (35,000) |
| 491-TOTAL | CEMETERY DEPARTMENT | 138,472 | 80,199 | 92,202 | 155,924 |
| 710-7150 | Town Debt-Principal | 2,102,245 | 2,362,245 | 2,224,749 | 2,509,587 |
| 710-7160 | School Debt-Principal | 727,756 | 842,756 | 318,059 | 584,075 |
| 710-7550 | Town Debt-Interest | 957,660 | 1,065,980 | 912,131 | 1,027,864 |
| 710-7560 | School Debt-Interest | 175,396 | 143,675 | 96,819 | 190,022 |
| 710-7130 | Temporary Borrowing | 265,686 | 320,279 | 279,016 | 100,000 |
| 710-7170 | Exempt 2.5 - Principal | 255,000 | 255,000 | 255,000 | 255,000 |
| 710-7570 | Exempt 2.5 - Interest | 103,732 | 87,939 | 72,155 | 56,445 |
| 710-7580 | New Debt Interest | 141,892 | 104,000 | 129,625 | 151,250 |
| | DEBT SERVICE | 4,729,367 | 5,181,874 | 4,287,554 | 4,874,243 |
| 193-5302 | Town Bldg. Insurance | 339,333 | 383,599 | 335,169 | 275,000 |
| 193-5304 | School Bldg. Insurance | 139,000 | 154,000 | 131,000 | 55,000 |
| 910-7012 | Town Group Insurance | 0 | 917,560 | 1,105,707 | 1,160,992 |
| 910-7013 | School Group Insurance | 1,600,234 | 1,402,440 | 1,670,000 | 1,750,000 |

| DEPT. ACCT. | | Spent FY 92 | Spent FY 93 | Budget FY 94 | Town Mgr. FY 95 |
|---|---|---|---|---|---|
| 910-7020 | Town Workers Comp. | 147,373 | 179,899 | 204,297 | 204,297 |
| 910-7021 | School Workers Comp. | 261,356 | 246,291 | 296,000 | 248,000 |
| 910-7030 | Town Unemploy. Comp. | 0 | 60,000 | 1,500 | 500 |
| 910-7031 | School Unemploy. Comp. | 212,300 | 20,000 | 20,000 | 500 |
| 910-7040 | FICA, Town | 55,260 | 50,000 | 62,000 | 62,000 |
| 910-7041 | FICA, School | 96,430 | 105,000 | 100,000 | 110,000 |
| 156-5254 | Town Telephone Service | 74,705 | 70,000 | 68,000 | 71,000 |
| 155-5880 | T/G Computer | 0 | 105,000 | 105,000 | 115,000 |
| 155-5420 | T/G Gen. Office Supplies | 0 | 30,000 | 30,000 | 31,000 |
| 155-5239 | T/G Maint. & Repair | 0 | 27,500 | 32,500 | 35,000 |
| 155-5422 | T/G Custodial Supplies | 0 | 15,000 | 15,000 | 11,000 |
| 192-5241 | Prof. Cleaning Services | 0 | 10,000 | 20,000 | 12,000 |
| | T/G Prof. Training | 0 | 0 | 7,500 | 8,000 |
| | T/G Fleet Leasing | 0 | 0 | 0 | 27,000 |
| | "1995" Retirements | 0 | 0 | 100,000 | 75,000 |
| | T/G Early Retirement Stabl. | 0 | 0 | 50,000 | 50,000 |
| | P/E Early Ret. Stabl. | 0 | 0 | 34,000 | 34,000 |
| | Waste Oil | 0 | 0 | 0 | 0 |
| | Hazardous Waste | 0 | 0 | 0 | 0 |
| 433-5285 | Solid Waste | 1,646,048 | 1,516,710 | 1,517,000 | 1,570,000 |
| 459-5287 | VFW Posts & DAV | 600 | 600 | 600 | 800 |
| 910-7050 | Connell/Strunk/Husson | 4,415 | 4,415 | 4,415 | 4,415 |
| 910-7054 | Police/Fire Med/Physicals | 22,730 | 25,000 | 28,500 | 22,000 |
| | Shared Traffic Engineer | 0 | 0 | 0 | 0 |
| 193-5310 | Memorial/Homecoming | 0 | 1 | 2,300 | 2,300 |
| 193-506 | Town Report | 7,000 | 7,000 | 7,250 | 7,250 |
| 193-5308 | Town Audit | 17,540 | 17,540 | 53,500 | 18,500 |
| 910-7090 | Reserve Fund | 0 | 24,820 | 40,000 | 150,000 |
| | T/G SCHOLARSHIP | 0 | 0 | 0 | 1,250 |
| | P/E SCHOLARSHIP | 0 | 0 | 0 | 1,250 |
| | UNCLASSIFIED ACCOUNTS | 4,624,324 | 5,372,375 | 6,041,238 | 6,113,054 |
| | UNCLASSIFIED DETAILS | | | | |
| 2300 | School Accounts Only | 2,170,320 | 1,927,731 | 2,217,000 | 2,198,750 |
| 2300 | Town Accounts Only | 2,454,004 | 3,444,644 | 3,824,238 | 3,914,304 |
| | LINE ITEM BUDGET (above) | | | | |
| TOTAL | WO/Other & W/Exempt | 51,580,297 | 52,730,374 | 53,641,868 | 58,748,069 |
| | Allocation | 53,396,653 | 52,959,193 | (3,925,886) | 0 |
| | Other Charges | | | 3,925,886 | |
| | TOTAL | | | 53,641,868 | 58,748,069 |

Note: Budget discussion reserved for Town Meeting with Finance Committee recommendation.

**ARTICLE 2**

To see if the Town will vote to fix the compensation of the following six elected officers of the Town and determine any salary increase that shall become effective July 1, 1994:

Selectmen, Chairman
Selectmen, Members
Town Clerk

or act in relation thereto.

Submitted by the Billerica Finance Committee

Salary Discussion - Reserved for Town Meeting

**ARTICLE 3**

To see if the Town will vote to allow the Town Administrator, upon the request of a Department Head, Board or Commission to make a transfer of funds between budget line items not to exceed a difference of $2,000.00 from the amount voted at Town Meeting per line item per the fiscal year, with the exclusion of the Travel Accounts within the same department; transfers within department line items in excess of $2,000.00 per fiscal year must be approved by the Finance Committee; a written report from the Town Administrator on all transfers $2,000 and under must be provided to the Finance Committee on the first Tuesday of each month;

or act in relation thereto.

Submitted by the Billerica Finance Committee

Yes - Authorizes Town Adm. to transfer funds within accounts

No - Does not authorize Town Adm. to transfer funds within accounts.

**ARTICLE 4**

To see if the Town will vote to transfer from free cash a sum of money to be applied to the fiscal year 1994 - 1995 tax rate.

Submitted by the Billerica Finance Committee

Yes - Would allow reduction in Town Expenditures

No - Will not allow reduction

**ARTICLE 5**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of $100,000 to fund the Collective Bargaining Agreement between the Town of Billerica and the Billerica Municipal Employees Association (B.M.E.A.);

or act in relation thereto.

Submitted by the Town Administrator under the authority of the Board of Selectmen

Yes - Increases salaries and benefits for employees

No - Town Administrator to re-negotiate contract

**ARTICLE 6**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of $100,000 to fund the Collective Bargaining Agreement between the Town of Billerica and the Billerica Professional Administrators Association (B.P.A.A.);

or act in relation thereto.

Submitted by the Town Administrator under the authority of the Board of Selectmen

Yes - Increases salaries and benefits for employees

No - Town Administrator to re-negotiate contract

**ARTICLE 7**

To see if the Town will vote to appropriate the sum of $350,000 for the cost of engineering services for plans and specifications for the construction or reconstruction of sewers, sewerage systems and sewage treatment and disposal facilities; to determine whether this appropriation shall be raised by borrowing, transfer from unexpended bond proceeds or otherwise; or to take any other action relative thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen

Yes - Authorizes expenditures and expansion of Sewer (Contract 28)

No - No additional expenditures for Contract 28

**ARTICLE 8**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of $250,000 for previous year's bills;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen

Yes - Payment of invoices

No - Non-payment of invoices

**ARTICLE 9**

To see if the Town will vote to raise and appropriate, transfer from available funds the sum of $1,000,000 to fund deficits in the 1993/94 budget;

or act in relation thereto

Submitted by the Town Administrator authorized by the Board of Selectmen

Yes - Authorizes Town Meeting to transfer funds

No - No transfers to fund deficits

**ARTICLE 10**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of $500,000 to complete the restoration and replacement of the cupola at the Old Town Hall, Concord Road;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen

Yes - Authorizes transfer from Insurance Recovery Account

No - Cupola not repaired and replaced

**ARTICLE 11**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of $100,000 to repair the heating, air conditioning units and make necessary repairs to the Town Hall, 365 Boston Road;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

Yes - Authorizes expenditures for repairs of New Town Hall

No - Repairs will not commence

**ARTICLE 12**

To see if the Town of Billerica will vote to raise and appropriate, transfer from available funds, or borrow the sum of $700,000 sufficient to pay the Town's share of participation in the purchase of 31± acres of land in Billerica consistent with the requirements of M.G.L. 132A, Section 11A, and M.G.L. Chapter 61A and to or act in any manner in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

Yes - Will allow Town to participate in program

No - Will not allow Town to participate in program

**ARTICLE 13**

To see if the Town will vote to transfer from available funds in the Sinking Fund established for Sewer Treatment Plant expansion, the sum of $100,000 for the purpose of design, engineering and construction of additions and/or modifications to the existing plant. The purpose of these additions and/or modifications is to reduce the concentration levels of chlorine and ammonia compounds in the plant effluent to meet compliance limits set forth by the Federal Environmental Protection Agency and the State Department of Environmental Protection;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

Yes - Approves transfers of $100,000.00

No - Does not approve the transfer

**ARTICLE 14**

To see if the Town will vote to approve the transfer of $6,000 from the Cemetery Sale of Lot Fund to the Cemetery Personnel Accounts;

or act in relation thereto.

Submitted by the Billerica Cemetery Commission

Yes - Fund Cemetery Personnel Account for additional employees

No - No additional employees

**ARTICLE 15**

To see if the Town will vote to approve the transfer of $21,000 from the Cemetery Sale of Lot Fund to the Cemetery Capital Outlay Account for the purpose of purchasing grounds maintenance equipment;

or act in relation thereto.

Submitted by the Cemetery Commission.

Yes - Purchase additional lawnmower

No - No purchase

**ARTICLE 16**

To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of $10,000 for the purposes of funding the repair and upgrade of existing equipment of Emergency Management Department;

or act in relation thereto.

Submitted by Lynne Leva, Petitioner, and Messrs Robbins, Meagher, Riel, Sousa, Cooke, Welsh, Robbins and Madames Canty and Meagher

Yes - Provides funds to Civil Defense to repair equipment

No - Denies funding

**ARTICLE 17**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of $30,000 to fund resurfacing and drainage improvements to Harvard Road;

or act in relation thereto.

Submitted by John J. Santoro, Petitioner and Messrs. Kelley, Ahsan, Jamieson and Madames Santoro, Kelley, Knight, Jamieson, Fahy and Ahsan.

Yes - Provides funds for repairs

No - Denies funding

**ARTICLE 18**

To see if the Town will vote to establish a Drug Abuse Resistance Education (D.A.R.E.) Program within the Town and to raise and appropriate, transfer, borrow or otherwise provide the sum of $30,000 to fund said D.A.R.E.;

or act in relation thereto.

Submitted by William G. Greene, Jr., Petitioner and Messrs Griffin, Hoar, Morris, Nunes, Coakley, Hurd, Richardson and Madames Greene and McCluskey.

Yes - Provides funds to establish

No - Program not established

**ARTICLE 19**

To see if the Town will vote to raise and appropriate, transfer from available funds, the sum of $75,000 for engineering, land taking and construction of a sidewalk on River Street (from Colonial Drive 3/10th of a mile to Bridle Road);

or act in relation thereto.

Submitted by Edmund S. Scott, Petitioner and Messrs. King, Barbere, Pitrilli, Jacobson and Madames Conway, Barbere, Dowgo, O'Brien and Wright.

Yes - Construct sidewalk

No - Does not construct sidewalk

**ARTICLE 20**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of $100,000 to establish an in-house legal department for the purpose of handling the legal affairs for the Town of Billerica;

or act in relation thereto.

Submitted by Robert Zawatsky, Petitioner and Messrs. Caporale, McLaughlin, Goodwin, O'Loughlin, Vergato, Lavery, Sr., and Madames Hayes, Daisy-Doyle and Eunson.

Yes - Creates Town Legal Department

No - Continue to use outside services

**ARTICLE 21**

To see if the town will vote to accept Chapter 44, Section 53C of the Massachusetts General Laws which establishes a revolving account for Police Details and to raise and appropriate or transfer from available funds the sum of $7,000 to be placed in said revolving Police Detail account;

or to act in relation thereto.

Submitted by the town administrator under the authority of the Board of Selectmen.

Yes - Funds Revolving Account

No - Does not fund Revolving Account

**ARTICLE 22**

To see if the Town will vote to adopt the provisions of Massachusetts General Laws, Chapter 110 ss. 112 and 187 of the Acts of 1993 (Adding General Law Chapter 59, Section 51 and Chapter 151A S. 64 - Small Commercial Exemption);

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

Yes - Would establish tax exemption for small business

No - Would remain as is

**ARTICLE 23**

To see if the Town will vote to adopt the provisions of Massachusetts General Laws, Chapter 40, Section 22F - Fees and Charges - acceptance of section;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

Yes - Authorizes fees and charges

No - Does not authorize fees and charges

**ARTICLE 24**

To see if the Town will vote to adopt the provisions of Massachusetts General Laws, Chapter 40, Section 42A Collection of Water rates - Method of collection; liens for delinquent charges;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

Yes - Authorizes Liens

No - Does not authorize liens.

**ARTICLE 25**

To see if the Town will vote to establish a revolving account for the Cross Connection/Backflow Prevention Program. This account would be established under the provisions of Mass. General Laws for the receipt of payments of fees collected for inspection and testing services performed by the Town or its' agent(s); and for the disbursement payment for services by private contractor(s) in connection with the administration of the program.

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

Yes - Would establish Revolving Account

No - Would not establish Revolving Account

**ARTICLE 26**

To see if the Town will vote to establish a revolving fund under the provisions of M.G.L. Chapter 33, Section 53E 1/2, for use by the Merrimack Valley Dive Rescue Team, a Division of Billerica Emergency Management Agency. Appropriation shall be expended to help provide for the operation, equipping, training and maintenance of the team. Funds to be secured through donations, fund raisers, insurance payments, grants and stipends;

or act in relation thereto.

Submitted by Selectmen Ralph M. Krau.

Yes - Would establish Dive Rescue Team

No - Would not establish Dive Rescue Team

**ARTICLE 27**

To see if the town will vote to dissolve the Map Committee, which was established at the annual Town Meeting of 1959;

or act in relation thereto.

Submitted by Dianne Bonnell, Petitioner and Messrs. Noonan, Hutchinson, Loftin, Franzosa, McMillen and Madames Noonan, Hutchinson, Sennott and McMillen.

Yes - Dissolves current committee

No - Committee would remain in place

**ARTICLE 28**

To see if the Town will vote to accept the provisions of Massachusetts General Law, Chapter 40, Section 8K in order to establish a Mapping Commission;

or act in relation thereto.

Submitted by Dianne Bonnell, Petitioner and Messrs. Noonan, Hutchinson, Loftin, Franzosa and McMillen and Madames Noonan, Hutchinson, Sennott and McMillen.

Yes - Establishes Commission under M.G.L.

No - Commission would not be established

**ARTICLE 29**

To see if the Town will vote to establish a Civic and Convention Center Commission consisting of five members pursuant to the provisions of Section 5 of Chapter 486 of the Acts of 1980;

or act in relation thereto.

Submitted by William G. Greene, Jr., Petitioner and Messrs. Collins, Woodbury, Brainerd, Celeste, Cerrato and Madames Hazan, Potter, MacNeill and Bone.

Yes - Would establish Commission

No - Commission would not be established

**ARTICLE 30**

To see if the Town will vote to accept Sections 61A and 61B of Chapter 31 which invokes the provisions of Chapter 311 of the Acts of 1989 which eliminates the maximum hiring age of 32 for public safety positions, specifically for Paul J. Gallagher, Jr.;

or act in relation thereto.

Submitted by Brian Luttrell, Petitioner and Messrs. Pfaff, Jr., Elmore Conway, Opland, Byrnes, MacDonald, Conners, Roche, Jr., and Madame Dagle.

Yes - Would eliminate age requirements for Civil Service Examination - Police

No - Age requirement of 32 would remain in effect

**ARTICLE 31**

To see if the Town will vote to authorize the Board of Selectmen to file legislation to exempt the position of Town Accountant from the provisions of Massachusetts General Laws, Chapter 31, Civil Service;

or act in relation thereto.

Submitted by the Board of Selectmen

Yes - Would exempt position from Civil Service

No - Position remains under Civil Service

**ARTICLE 32**

To see if the Town of Billerica will instruct its representatives to the General Court to support the Massachusetts Municipal Association's Revenue Sharing Plan to provide an adequate and secure source of funds to support local services by dedicating a portion of state tax revenues and lottery proceeds to fund the new Chapter 70 School Aid Schedule, a general revenue sharing distribution which includes a five-year phase-out of the current lottery division, and a gas tax distribution;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

Yes - Would dedicate funds for School Aid

No - Would not dedicate funds for School Aid

**ARTICLE 33**

To see if the Town of Billerica will instruct its representatives to the General Court to support the amendments to the new school finance law prepared by the Massachusetts Municipal Association for the purpose of reducing the intrusion of the state into local budget and taxation matters; restoring a measure of accountability of local school districts to local voters; and providing cities and town with additional flexibility in budgeting local services;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen

Yes - To support amendments

No - Would not support amendments

**ARTICLE 34**

To see if the Town of Billerica will instruct its representatives to the General Court to support the position of the Massachusetts Municipal Association in favor of full funding of the Cherry Sheet Highway Aid accounts, Chapter 81 and Chapter 90, as well as the swift passage of the Transportation Bond Bill, H. 1033, in order to ensure a fair and predictable share of funds for distribution to cities and towns for use on local roads;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

Yes - Supports full funding of Highway Aid Accounts

No - Does no support full funding

**ARTICLE 35**

To see if the Town will vote to have the Board of Selectmen petition the State Legislature through State Representative William Greene, Jr. and State Senator John O'Brien to review and revamp the distribution of the Mass. State Lottery funds to cities and towns. The new method will provide a reimbursement or commission of the lottery funds collected by each city and town to the specific city or town. All remaining monies shall be distributed in accordance with the existing formulas;

or act in relation thereto.

Submitted by Bernard F. Hoar, Petitioner and Messrs. Crowley, David, Long, McDowell, and Madames Hoar, Crowley, David, Long and McDowell.

Yes - Indicates Town's support of change in distribution

No - Town does not support any changes in distribution

**ARTICLE 36**

To see if the Town will vote to create an Historic District in East Billerica to be called the Richardson's Mill Historic District to be governed by the Town's existing Historic District By-Laws. The boundaries shall be those shown on the map on file in the Town Clerk's Office and containing some or all of approximately 12 properties;

or act in relation thereto.

Submitted by the Historic District Commission

Yes - Creates a new Historic District

No - District not established

**ARTICLE 37**

To see if the Town will vote to establish a study committee consisting of eleven (11) members. The purpose of this committee shall be to study the feasibility of creating a water and sewer district for the purpose of full operation and maintenance of the Town's water and sewer utilities. The study committee shall consist of one member of each Town Precinct who shall be elected by the Town Meeting Representatives of each respective precinct, for a total of ten members and one member shall be appointed by the Board of Selectmen. The Selectmen appointee shall serve as chairman of this committee. This committee shall report its findings and recommendations to the Town Meeting no later than January 31, 1995;

or act in relation thereto.

Submitted by Bernard F. Hoar, Petitioner and Messrs. Crowley, Davis, Jr., Long, McDowell and Madames Hoar, Crowley, Davis, Long and McDowell.

Yes - Will establish study committee

No - No committee established

**ARTICLE 38**

To see if the Town will vote to authorize the Board of Selectmen to acquire the following rights in land parcels for the purpose of obtaining secure and public utility easements. This action will allow for the construction of storm drainage appurtenances on Alpine Street and/or Morningside Drive in Billerica.

| | |
|---|---|
| Plate 8, Parcel 13 | Approx. 5,000 sq. ft. |
| Plate 26, Parcel 150 | Approx. 4,020 sq. ft. |
| Plate 26, Parcel 151 | Approx. 4,020 sq. ft. |

Furthermore, that the Board of Selectmen may acquire these easements or modifications of these easements through all legal means. This includes donations, and/or eminent domain;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen

Yes - Would authorize utility easements

No - No easements

**ARTICLE 39**

To see if the Town will vote to authorize the Board of Selectmen to accept a parcel of land located on the east side of Boston Road - Assessors Map 31, Parcel 12. Said parcel to be used for municipal purposes;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen

Yes - Will establish additional land for Town purposes

No - Town will not accept donation of land

**ARTICLE 40**

To see if the Town will vote to add the following section to the General By-Laws to allow temporary signs by non-profit organizations to read as follows;

Art. 18.2.L Non Profit Organizations - as defined in M.G.L. Chapter 180

1. Banners over right of way - written notification must be submitted to the Selectmen's Office at least fourteen days in advance, no further action by Selectmen is necessary.

2. Banners - In addition to sign allowed elsewhere in this by-law, non-profit organizations shall be allowed to display one temporary banner less than three feet in height, twenty-one days per calendar month.

   No fee shall be charged to a non-profit organization.

3. Sandwich signs - In addition to signs allowed elsewhere in this by-law, non-profit organizations are allowed to display one temporary sandwich sign three and one-half feet in height by two and one-half feet wide for fourteen days per calendar month.

   A permit, issued by the Building Dept., shall be required for each time period.

   This provision shall act to exempt non-profit organizations from the prohibitions of sandwich signs found elsewhere in this by-law.

Each sandwich sign shall be exempt from 18.2.G requiring the permit number to be displayed on the sign. No fee shall be charged to a non-profit organization;

or act in relation thereto.

Submitted by the Committee to Study Temporary Signs and Banners: Ralph Krau, Chairman, Members Doris Pearson, David Brownell, Sal Dampolo and Tom Ferraro.

Yes - Non-profit organization will be allowed temporary signs

No - No exemptions requirements to remain in effect

**ARTICLE 41**

To see if the Town will vote to add the following section to the Zoning Laws to allow temporary signs by non-profit organizations to read as follows:

ART. 16.2.L Non Profit Organizations - as defined in M.G.L. Chapter 180

1. Banners over right of way - see General By-Laws, Art. 18, Sec. 2.L.1.

2. Banners - In addition to sign allowed elsewhere in this by-law, non profit organizations shall be allowed to display one temporary banner less than three feet in height, twenty-one days per calendar month.

   This provision shall act to exempt non profit organizations from the prohibitions on banners found elsewhere in this by-law - Sec. 16.2.I.2.

   No fee shall be charged to a non profit organization.

3. Sandwich signs - In addition to signs allowed elsewhere in this by-law, non profit organizations are allowed to display one half feet in height by two and one-half feet wide for fourteen days per calendar month.

   A permit, issued by the Building Department, shall be required for each time period.

   This provision shall act to exempt non profit organizations from the prohibitions on sandwich signs found elsewhere in this by-law.

   Each sandwich sign shall be exempt from 16.2.G requiring the permit number to be displayed on the sign. No fee shall be charged to a non profit organization;

or act in relation thereto.

Submitted by the Committee to Study Temporary Signs and Banners; Ralph M. Krau, Chairman, Members Doris Pearson, David Brownell, Sal Dampolo and Tom Ferraro.

Yes - Non profit organization will be allowed temporary signs

No - No exemption - requirements to remain in effect

**ARTICLE 42**

To see if the Town will vote to amend Section 6.1.1.A and 6.1.1.B of the Zoning By-Law to read:

A. Such earth migration per lot with a building permit issued by the Building Inspector of up to five hundred cubic yards, or thirty truckloads, whichever is smaller, **as certified by a registered professional engineer and the contractor transporting the fill,** or

B. Such earth migration per lot may be authorized in any zoning district by a special permit issued by the SPGA for quantities in excess of five hundred cubic yards, or thirty truckloads, whichever is smaller, **as certified by a registered professional engineer and the contractor transporting the fill**;

or act in relation thereto.

Submitted by Ruthanne Bossi, Chairman, Planning Board

Yes - Requires a professional engineer to certify fill amounts

No - Does not require fill amounts to be certified

**ARTICLE 43**

To see if the Town will vote to amend the Billerica Zoning By-Laws, Section 5.7.4.M by rescinding its previous vote last year, specifically by deleting the current Section 5.7.4.M. which change newly authorized In-Law apartments as a matter of right, and replacing it with the former

Section 5.7.4.M., that previously authorized In-Law apartments only by Special Permit as follows;

5.7.4.M In Residential Districts, an In-Law apartment may be authorized by the SPGA by special permit for an accessory use to a Dwelling consisting of separate living quarters not exceeding eight hundred (800) square feet in the same building as the principle use dwelling with occupancy of no more than two related persons, with sufficient off-street parking and the building must retain its characteristically one-family appearance, and provided further that such accessory use shall cease forthwith upon the premises being vacated by the aforementioned related persons;

or act in relation thereto.

Submitted by Ruthanne Bossi, Petitioner and Messrs. Flynn, McDonald, and Madames Flynn, Nolan, Garvin, Capen, Brown, Lothian and Morris.

Yes - Allows in-law apartments by special permit

No - Allows them by right under certain circumstances

**ARTICLE 44**

To see if the Town will vote to amend the Billerica Zoning By-Laws, Section 9.2 by adding a second paragraph stated below in **boldface** type:

9.2 **Reduction of Lot size**

No lot shall be subdivided, reduced in area or changed in size or shape so that a building upon it or the lot fails to comply with the area, frontage, setback, yard or other provisions of this by-law. This prohibition shall not apply, however when a portion of a lot is taken by eminent domain or conveyed for a public purpose.

**Lots proposed to be subdivided, reduced in area, or changed the size below the minimum area requirements stated in Section 9.4 of this by-law shall first be subject to a vote at any Town Meeting or Special Town Meeting with two thirds voting in favor after public hearing, including the requirements of notice, held by the Board of Appeal and the Board of Appeal shall report to the Town Meeting with a written recommendation either in favor or opposed to said proposal;**

or act in relation thereto.

Submitted by David F. Delorey, Jr., Petitioner and Messrs. Flynn, McDonald, Richardson and Madames Flynn, Poerier, Lothian, Brown, Gullage and Morris.

Yes - (See opinion from Town Counsel)

No - " " "

**ARTICLE 45**

To see if the Town will vote to amend the Zoning By-Laws by amending Section 5.7.2.G to read:

Q. Storage Yard & Open Air Sales NO NO NO NO NO YES NO SP

and to amend Section 5.7.3.Q to read:

Q. Storage Yard & Open Air Sales - with storage including a lumber yard, contractor's yard, or other open air establishment for the storage, distribution or sale at wholesale or retail of materials (but not including salvage materials), merchandise, products or equipment, provided that all operations shall be such as to confine to the premises disturbing dust, noise or other objectionable effects and provided further that such use is not hazardous by reason of the potential for fire, explosion, radiation release or other casualty;

Out-door storage shall be allowed in the Industrial District by the approval of a Special Permit from the Zoning Board of appeals. Such use shall be accessory to a primary use within the Industrial Zone and may include storage of materials, equipment and vehicles;

or act in relation thereto.

Submitted by Arthur L. Doyle, Petitioner, and Messrs. Iovanna, Morris, Higgins, Cerrato and Madames Corsano, Sullivan, Gurney, St. Cyr and Bone.

Yes - Allows outdoor storage by Special Permit in the Industrial District

No - Prohibits outdoor storage in the Industrial District

**ARTICLE 46**

To see if the Town will vote to amend the Zoning By-Law and re-zone from an Industrial District to a Village Residential District with a cluster residential overlay the whole or any part of land owned by William E. McCarthy on Cook Street, bounded and described as follows:

**LOT A**

Beginning at the northeast corner of Lot A and running

S 06 degrees 48' 52"E, 1705± feet;
Thence: S 83 degrees 11' 08"W, 300.00 feet;
Thence: S 06 degrees 48' 52"E, 352.81 feet;
Thence: by a curved line, radius 50.00 feet and length 63.43 feet;
Thence: by a curved line, radius 851.79 feet and length 155.91 feet;
Thence: by a curved line, radius 60.00 feet and length 101.40 feet;
Thence: N 06 degrees 48'52"W, 471.37 feet;
Thence: S 83 degrees 11' 08"W, 550.00 feet;
Thence: S 06 degrees 48' 52"E, 115.59 feet;
Thence: S 77 degrees 28' 37"W, 273.79 feet;
Thence: S 22 degrees 54' 23"E, 414.07 feet;
Thence: S 73 degrees 23' 04"W, 161.78 feet;
Thence: N 34 degrees 59' 43"W, 170.82 feet;
Thence: N 30 degrees 30' 49"W, 24.08 feet;
Thence: N 32 degrees 36' 06"W, 24.31 feet;
Thence: N 36 degrees 12' 46"W, 53.99 feet;
Thence: N 34 degrees 22' 26"W, 86.31 feet;
Thence: N 35 degrees 23' 16"W, 93.01 feet;
Thence: N 30 degrees 36' 06"W, 33.08 feet;
Thence: N 42 degrees 27' 41"W, 58.40 feet;
Thence: N 51 degrees 36' 30"W, 79.18 feet;
Thence: N 38 degrees 23' 03"E, 400.00 feet;
Thence: N 51 degrees 36' 30"W, 500.00 feet;
Thence: Along edge of Shawsheen River 2500± feet to the point of beginning.

Said lot contains 44.3 acres;

or act in relation thereto.

Submitted by William A. Cooke, Petitioner and Messrs. Dresser, Murphy, Cooke, Cooke, Abbott and Madames Cooke, Cooke, Cooke and Caravello.

Yes - Will change zoning from all Industrial District to a Residential District

No - Zoning will remain as an Industrial District

**ARTICLE 47**

To see if the Town will vote to amend the Zoning By-Law and re-zone from a General Business District to a Rural Residence District the whole or any part of land owned by James E. Neagle, III and Dawn E. Neagle on 225 Andover Road and bounded and described as follows:

An area of land consisting of two parcels in the Town of Billerica, Middlesex County, on Andover Road, and shown on a plan entitled "Paul & Judith Berman, 221 Andover Road and James and Dawn Neagle, 225 Andover Road, Subdivision Plan of Land in Billerica, MA (Middlesex County), Scale: 1`" = 40', April 15, 1993, prepared by John A. Hammer, III, Professional Land Surveyor" and further described as:

**PARCEL X**

Beginning at a stone bound at the land now or formerly of Berman located S 31-29-56E, 153.60 feet from an iron pipe on the southerly side line of Andover Road.

Thence: S 50-26-00W, 5.00 feet to an iron rod;
Thence: S 21-51-07E, 65.00 feet to an iron rod;
Thence: S 50-26-00W, 57.22 feet to an iron rod;
Thence: S 15-03-21E, 166.57 feet to an iron rod at land now or formerly of Quinn said last 4 courses by land of Berman;
Thence: N 63-57-36E, 108.00 feet by land of said Quinn and other land now or formerly of Vitale to a stone bound at Gap Parcel "Y";
Thence: N 21-51-07W, 209.65 feet to a stone bound by Gap Parcel "Y";
Thence: N 63-57-06W, 42.85 feet by Gap Parcel "Y" to the point of the beginning;

Containing 18.586 square feet, more or less

**Gap Parcel "Y"**

Beginning at a stone bound at the land of Neagle located S 63-57-06E, 42.85 feet from the point of the beginning of Parcel "X";

Thence: S 21-51-07E, 209.65 feet by Parcel "X" to a stone bound at land now or formerly of Vitale;
Thence: N 63-57-36E, 9.60 feet to a point at land of Neagle;
Thence: N 24-287-39W, 209.17 feet by land of Neagle to the point of the beginning;

Containing 1,004 square feet, more or less;

or act in relation thereto.

Submitted by James E. Neagle, III, Petitioner and Messrs. Wyatt, DelSilio, Spinale and Madames Neagle, Wyatt, Panniello, Smith, DelSilio and Spinale.

Yes - Will change zoning from General Business to Rural Residence

No - Zoning will stay General Business

And you are hereby directed to serve this Warrant by posting true and attested copies thereof, one copy at the East Billerica Fire Station; one copy at the Ninety-Nine Restaurant, Lexington Road; one copy at the Pizza Hut, Boston Road; one copy at the Nutting Lake Post Office; one copy at the North Billerica Post Office; one copy at Jim's Automotive/Fahey's Gulf Station, Nashua Road; one

copy at DeMoulas Market, Town Plaza, Boston Road; one copy at the Center Post Office, Boston Road; one copy at the Pinehurst Post Office; one copy at the North Billerica Fire Station; one copy at the Billerica Public Library; one copy at the Town Hall, Boston Road.

Given under our hands this twenty six day of April 1994.

BOARD OF SELECTMEN
S/ Ralph M. Krau, Chairman
S/James F. O'Donnell, Vice, Chairman
S/Edward J. Hurd, Secretary
S/Arthur L. Doyle
S/ Brion M. Cangiamila

A True Copy
ATTEST:

S/ John Harring
Constable, Town of Billerica

April 26, 1994

Mrs. Evelyn M. Haines
Assistant Town Administrator
Town Hall
365 Boston Road
Billerica, MA 01821

Dear Mrs. Haines:

I have posted the Warrant for the Spring Town Meeting to be held on Tuesday, May 3, 1994 at 7:30 P.M. at the Maurice A. Buck Memorial Auditorium, 365 Boston Road, Billerica, MA at the following locations:

East Billerica Fire Station
Ninety-Nine Restaurant, Lexington Road
Pizza Hut, Boston Road
Nutting Lake Post Office
North Billerica Post Office
DeMoulas Market, Towne Plaza, Boston Road
Center Post Office, Boston Road
Pinehurst Post Office
North Billerica Fire Station
Town Hall
Billerica Public Library, Concord Road
Jim's Automotive/Fahey's Gulf Station

Signed:
S/ David R. Lasky
Constable, Town of Billerica

# SPECIAL TOWN MEETING
# MAY 5, 1994

## MAURICE A. BUCK MEMORIAL AUDITORIUM
## FIRST SESSION - MAY 5, 1994

Oren D. Hunt, Jr., Louise M. French, Karen A. Miller and Dorothy M. Callihan were appointed tellers and sworn in by Moderator Sullivan.

A quorum count was taken. With one hundred thirty-six (136) Town Meeting Members present, the Special Town Meeting was declared in session at 8:00 P.M.

It was moved, seconded and VOTED to accept the warrant as duly served by the Constable.

It was moved, seconded and VOTED to dispense with the reading of the articles in the warrant.

**ARTICLE 1**

Selectman Hurd moved to dismiss Article 1. Seconded.

Finance Committee concurred.

Moved and seconded to place Article 1 on the table until the last order of business. Seconded. With forty-three (43) in favor and seventy-four (74) opposed, the motion LOST.

Rep. Brainerd moved to postpone Article 1 until the last order of business. Seconded. The motion to postpone LOST.

The motion to dismiss Article 1 CARRIED.

**ARTICLE 2**

Selectman Hurd moved to transfer the sum of $274,031.00 to fund the following accounts:

| From Account: | | To Account: | | Amount |
|---|---|---|---|---|
| 1992-1492-5200 | Treasurer | 19230-5252 | Town Hall Heat | $9,999.00 |
| 15520-5422 | T/G Custodial | 22030-5230 | Fire Dept. Repairs | 4,000.00 |
| FY93-43393-5285 | Solid Waste | 43330-5285 | 1994 Solid Waste | 75,000.00 |
| 19370-5302 | Town Bldg. Ins. | 42230-5220 | Hgwy. Dept. Cont. Services | 25,000.00 |
| Fy93-43393-5285 | Solid Waste | 44130-5250 | Waste Water Electricity | 30,000.00 |
| FY93-43393-5285 | Solid Waste | 45330-5250 | Water Division Electricity | 25,000.00 |
| FY93-43393-5285 | Solid Waste | 45330-5252 | Water Div. Heating | 3,000.00 |
| FY91-14191-5200 | Assessor Contract Services | 15630-5254 | Telephone | 4,000.00 |
| FY93-15693-5200 | Telephone Contract Services | 15630-5254 | Telephone | 6,000.00 |
| FY93-91093-7051 | Police/Fire Medical | 15630-5254 | Telephone | 8,000.00 |
| 71070-7130 | Temporary Borrowing | 19230-5250 | Town Hall Electricity | 19,000.00 |
| 71070-7130 | Temporary Borrowing | 15130-5276 | Special Counsel | 45,000.00 |
| 71070-7130 | Temp. Borrowing | 19370-5310 | Memorial/Homecoming/Museum | 1,000.00 |
| 14191-5200 | Assessor Cont. Services | 61030-5252 | Library Heating | 650.00 |
| 14592-5200 | Treas. Cont. Services | 61030-5250 | Library Electricity | 1,000.00 |
| FY93-19293-5200 | Town Hall Contract Services | 17510-5110 | Planning Board Personnel | 785.00 |
| FY93-19293-5200 | Town Hall Contract Services | 1222-5410 | Selectmen Publications & Books | 700.00 |
| FY93-19393-5200 | Prof. Cleaning | 15530-5239 | Maint. & Repair | 5,600.00 |
| FY93-15593-5422 | Custodial Supplies | 15530-5239 | Main. & Repair | 7,000.00 |
| FY93-15595-5400 | Office Supplies | 19230-5228 | Rental & Leases | 3,297.00 |
| | | | Total | $274,031.00 |

Seconded

Finance Committee concurred.

Much discussion ensued relative to the need for these transfers and the steps being taken to prevent similar shortfalls in the future.

The motion to transfer $274,031.00 CARRIED.

**ARTICLE 19**

Rep. Benoit moved to bring Article 19 forward. Seconded. So VOTED.

Rep. Benoit moved to accept Article 19 as written. It was noted a scriber's error: Parcel B, 1st line, "C4 and C5" should be "C3 and C4". Seconded.

Planning Board Chairman Bossi gave the report of the public hearing held April 25, 1994. Due notice was given in the Billerica Minuteman on March 31 and April 7, 1994. The Board with seven members present voted seven (7) in favor of recommending this article with an amendment. The recommendation to approve applies to the rezoning of Parcels A and B only. The rezoning of Parcel C is inappropriate as it would encourage further industrial development that would be detrimental to the nearby residential neighborhood.

Chairman Bossi then moved to delete Parcel C from the article as presented in the warrant. Seconded.

Finance Committee concurred.

The motion to delete Parcel C from the rezoning CARRIED.

With one hundred fifty-three (153) voting in favor and one (1) opposed the motion to rezone Parcels A and B as set forth in the article CARRIED.

It was moved and seconded to reconsider Article 19. With zero (0) in favor and one hundred thirty-seven (137) opposed, the motion to reconsider LOST.

Approved by Atty. Gen. July 18, 1994

**ARTICLE 3:**

Selectmen Krau moved to transfer from FY 1993 Account #49293-5200, Contract Services - Motor Equipment Supplies, the sum of $331.00 and from Account FY 1993 #49293-5400 - Supplies and Expenses, Motor Equipment Supplies, the sum of $2,669.00 for a total of $3,000.00 to purchase plantings for Contribution Park. Seconded.

Finance Committee concurred.

Selectmen Krau gave a detailed presentation of the park to be built along the Concord River for passive recreation. All labor, materials, etc. will be contributed. The money requested will be used for trees and other native plantings.

Rep. Horlink moved the question. Seconded. The motion to end debate CARRIED unanimously.

The main motion as presented CARRIED.

It was moved and seconded to move Article 4 to the first order of business on May 10th. The motion LOST.

**ARTICLE 4:**

Selectman Hurd moved to dismiss Article 4. Seconded

Finance Committee concurred.

The motion to dismiss CARRIED.

**ARTICLE 5:**

Sewer Extension Committee Chairman John Gray moved that the Town authorize the Town Treasurer/Collector to borrow up to $6,000,000.00 for the purpose of financing the construction or reconstruction of sewers, sewerage systems and sewage treatment and disposal facilities including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Selectmen is authorized to borrow these funds and issue bonds or notes therefor under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Selectmen determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Town Administrator to expend all funds available for the project and further to rescind prior authorizations for such borrowing consistent with the provisions of Massachusetts General Laws.

Seconded.

Finance Committee concurred.

Debate ensued. Rep. Conway moved the question. Seconded. With one hundred fifty-three (153) voting in favor and one (1) opposed, the motion to end debate CARRIED.

The motion as presented was put to a rising vote. With one hundred forty-two (142) in favor and three (3) opposed, the motion CARRIED.

**ARTICLE 6:**

Selectman Hurd moved to dismiss Article 6. Seconded.

Finance Committee concurred.

The motion to dismiss CARRIED.

It was moved, seconded and VOTED to bring Article 10 forward.

**ARTICLE 10:**

Rep. Cavicchio moved that the Town authorize the Board of Selectmen to petition the General Court to enact legislation establishing the Billerica Financial Development Corporation. Seconded.

Finance Committee concurred.

State Representative William Greene, Jr. explained that the purpose of this corporation would be to provide monetary backing to small businesses seeking to secure bank loans.

The motion as presented CARRIED unanimously.

**ARTICLE 8:**

It was moved and seconded that Article 8 be brought forward. With ninety-six (96) in favor and seven (7) opposed, the motion CARRIED.

Rep. Cavicchio moved that the Town borrow the sum of $2.4 million for the purpose of performing capital improvements and purchasing equipment for all the Billerica Public School Buildings. Seconded.

Finance Committee voted six (6) in favor and five (5) opposed to recommend this article with the following amendment "and to provide to the Finance Committee progress reports at six (6) month intervals". Seconded.

Superintendent Calabrese made a presentation of the projects to be addressed in the bonding. He also agreed to the six (6) month progress reports requested.

Finance Committeeman King gave a minority report. He moved to amend the article by striking the figure of $2.4 million and inserting the figure of $1.5 million. Seconded.

Much discussion ensued relative to the items included in the bonding.

Rep. Morrissey moved to postpone further discussion on this article until Tuesday, May 10th so that an itemized list of the items to be included in the bond could be made available. Seconded.

The motion to postpone CARRIED.

Rep. Moreira moved that the meeting stand adjourned until Tuesday evening at 7:30 P.M. Seconded. The motion to adjourned CARRIED. The first session of the Special Town Meeting stood adjourned at 10:41 P.M.

A True Copy
ATTEST:

Shirley E. Schult, CMC, CMMC
Town Clerk

# SPECIAL TOWN MEETING
# MAY 5, 1994

### MAURICE A. BUCK MEMORIAL AUDITORIUM
### SECOND SESSION - MAY 10, 1994

Prior to the start of Town Meeting, the following Town Meeting Members were elected by caucus:

Precinct 1: Robert P. Hastings -2 Philip Road
Colleen O'Keefe - 158 Concord Road, E-19

Precinct 3: Lynda Anderson - 21 Olney Street
William E. Laughlin - 11 Lincoln Street
Christopher P. Musto - 8 Green Street
Marion C. Musto - 8 Green Street

A Quorum count was requested. With one hundred thirty-four (134) Town Meeting Members present, the Special Town Meeting was declared in session at 7:40 P.M.

**ARTICLE 8: cont.**

Superintendent Calabrese discussed the handout, prepared at the request of Town Meeting, which listed all the items the School Committee included in their $2.4 million bond request.

Much discussion ensued.

Rep. King summarized the items to be included in his amendment for $1.5 million.

Rep. Sargent moved to amend the figure to $2.0 million. Seconded.

Discussion continued at length. It was moved and seconded to end debate. With one hundred thirty-six (136) voting in favor and fourteen (14) opposed, the motion to end debate CARRIED.

The motion to borrow $2.0 million was put to a vote. With sixty-one (61) voting in favor and one hundred one (101) opposed, the motion LOST.

The motion to borrow $2.0 million for the purposes set forth was put to a rising vote. With one hundred twenty-three (123) voting in favor and fifty-four (54) opposed, the motion for $2.0 million CARRIED.

It was moved and seconded to reconsider Article 8, Motion LOST.

**ARTICLE 7:**

School Committee Member Cavicchio moved that the Town accept the provisions of Section 83 of Chapter 71 of the Acts of 1993 as amended, known as the "Education Reform Act of 1993" to provide for an Early Retirement Incentive Program for the members of the Mass. Teachers' Retirement System employed by the Billerica Public Schools, with said program to include a five-year additional credit for age, service, or a combination of both. Seconded.

Superintendent Calabrese explained the article. The number of teachers in Billerica that will be allowed to participate will be determined by the State Retirement System. The expense of the program will be born 50% by the Town and 50% by the State. The estimated number of teachers to be included in this program is thirteen(13).

Finance Committee concurred.

Moderate discussion ensued when it was moved, seconded and VOTED unanimously to end debate.

The motion as presented CARRIED.

It was moved and seconded to reconsider Article 7. Motion LOST.

**ARTICLE 9:**

School Committee Member Cavicchio moved that the Billerica School Committee be authorized to operate a BEAM Revolving Fund for 1994-95 under G.L. C.44, Sec. 53, one-half for the purpose of receiving insurance and Medicaid reimbursements for Special Education Students, and other revenues, and spending monies to operate programs in an amount not to exceed $400,000.00. Seconded.

Finance Committee concurred.

The motion as presented CARRIED.

**ARTICLE 11:**

Selectman Hurd moved to dismiss Article 11. Seconded.

Finance Committee concurred.

The motion to dismiss CARRIED.

**ARTICLE 12:**

Rep. Luttrell moved that the Town accept Sections 61A and 61B of Chapter 31, Section 58 which invokes the provi-

sions of Chapter 311 of the Acts of 1989 which eliminates the maximum hiring age of thirty-two (32) for public safety positions, specifically for Paul J. Gallagher, Jr. Seconded.

Town Counsel Leonard Koppelman ruled that this article is not in proper order.

Finance Committee did not recommend this article.

Rep. Seymour moved the question. Seconded. The motion to end debate CARRIED unanimously.

The motion as presented LOST.

**ARTICLE 13:**

Rep. Dundey moved Article 13 as printed in the warrant. Seconded.

Finance Committee did not recommend this article.

Leon St. Hilare, proponent of the article was allowed forward to speak on the article.

Rep. Moreira moved to dismiss this article. Seconded. The motion to dismiss the article CARRIED unanimously.

Rep. Dundey moved to reconsider this article. Seconded. With thirty-four (34) in favor and one hundred ten (110) opposed, the motion LOST.

**ARTICLE 14:**

By-Law Review Committee Chairman Richard Young moved to delete Article 6, Section 24 of the General By-Laws and move it to Article 24 as Section 8 of the General By-Laws. Seconded.

Finance Committee concurred.

Rules Committee concurred.

The motion as presented CARRIED.

Approved by Atty. Gen. July 18, 1994

**ARTICLE 15:**

By Law Review Committee Chairman Young moved to move Article 4, Section 2 of the By-Laws to Article 6, Section 15 of the General By-Laws and to renumber the current Article 6, Section 15 of the General By-Laws as Article 6, Section 15E. Seconded.

Finance Committee concurred.

Rules Committee had no recommendation.

The motion as presented CARRIED.

Approved by Atty. Gen. July 18, 1994

**ARTICLE 16:**

By Law Review Committee Chairman Young moved to delete Article 7 of the General By-Laws and replace it with Article 6, Section 21, parts 1-13; Article 6, Section 23, parts a-d; and Article 4, Section 1, all of which are General By-Laws, to be titled Animals. Seconded.

Finance Committee concurred.

Rules Committee concurred.

The motion as presented CARRIED.

Approved by Atty. Gen. July 18, 1994

**ARTICLE 17:**

By Law Review Committee Chairman Young moved to delete Article 4, of the General By-Laws and replace it with the following:

**ARTICLE IV**
**PUBLIC WAYS**

1. SNOW REMOVAL
   1.1 It is the property owners responsibility to remove all the snow from a sidewalk which abuts their property within 24 hours from the end of the storm after the sidewalk is cleared by the Town.

      A. The property owner shall keep the sidewalk clear and passable until all of the snow disappears.

      B. Any property owner who fails to remove the snow from a sidewalk abutting their property, shall pay a sum of $10.00 for each offense.

   1.2 No person shall by any means plow, push or discharge in any way, snow or ice onto any way in the Town from adjoining private property so as to cause a hazard to public safety.

      A. Violation of section 1.2 shall be punishable by a fine of $100.00 for each offense.

      B. Section 1.2 shall be enforced on behalf of the Town by its Police Department. They shall have the right to issue a citation to any and all persons in violation of this section.

2. ACCESS RAMPS

2.1 Whenever a new housing development, sewage improvements or new sidewalk is put in or any kind of construction disrupts an existing sidewalk, handicapped access ramps shall be added in accordance with regulations issued by the Architectural Access Board pursuant to Section 13A of Chapter 22 of the Mass. General Laws.

3. ADEQUATE ACCESS

3.1 **Intent and Purpose:** This section shall govern the use of unaccepted ways used for access to building lots.

3.2 Unaccepted ways shall meet the Department of Public Works street standards in order to be judged adequate.

A. The Director of the Department of Public Works may grant a Certificate of Waiver from the Department of Public Works standards in cases where the unaccepted way meets acceptable construction standards at the time of the occupancy permit application.

3.3 All new buildings, excluding accessory structures, additions, and alterations, shall have frontage on ways which provide adequate access for the entire length of the way up to and including the minimum lot frontage required under zoning.

A. No building permits shall be issued until plans for the construction or upgrading of the way have been approved by the Director of Department of Public Works.

B. The way shall be improved from the nearest way in existence, which meets standards acceptable to the Director of Public Works.

3.4 The layout and design of the way shall be stamped by a Professional Engineer and shall demonstrate compliance with the Department of Public Works street standards.

3.5 All necessary wetland approvals shall be obtained for road construction prior to issuance of any road opening permits as applicable.

3.6 No occupancy permit shall be issued until the way, which a lot fronts on is complete and in full compliance with Department of Public Works standards.

A. A bond or other form of security cannot act as a substitute for completion of the way.

3.7 Ways approved under the Subdivision Control Law are exempt from Section 3.

3.8 If a request for a Certificate of Waiver is denied, the Director of the Department of Public Works will issue a denial letter.

A. The decision to approve or deny may be appealed, within twenty (20) days of the denial letter, to the Board of Selectmen by either the applicant or any property owner along the subject way.

B. Failure to act on the appeal within thirty (30) days of receipt shall constitute constructive approval.

4. NUMBERING OF BUILDINGS

4.1 All residences and businesses in the Town of Billerica shall be numbered consecutively from one end of the way to the other.

A. The buildings on one side shall be even numbered, and the buildings on the opposite side shall be odd numbered.

4.2 All numbering shall be done under the supervision of the Director of Public Works.

4.3 The Director of Public Works, when necessary, may change the existing numbering of a building.

4.4 All vacant lots shall be assigned a number.

A. The numbers shall be assigned in accordance with the applicable frontage requirements as specified in the zoning by-laws.

4.5 All property owners shall be notified in writing of their assigned or changed number.

A. All assigned or changed numbers shall be conspicuously posted on the front of a building within 10 days of notification.

B. That building shall not thereafter use any other number.

4.6 Any buildings hereafter erected shall bear the number assigned to its lot under this by-law.

4.7 Any person, firm or corporation violating Section 4 of this by-law after receiving notice, shall be liable to a fine not exceeding $25.00.

4.8 Definitions

A. Buildings: Residences, public places and places of business.

5. LAYING OUT, DISCONTINUING AND ACCEPTING PUBLIC WAYS

5.1 **Intent and Purpose**
This section controls the laying out, widening, altering or discontinuing of all public ways in the Town of Billerica, except those that are under the jurisdiction of Middlesex County and/or the Commonwealth of Massachusetts.

5.2 All ways developed under the control of the Planning Board will meet the design and construction standards specified in the approved Rules and Regulations Governing the Subdivision of land in Billerica, Mass., before they are submitted to the Board of Selectmen for approval.

A. The Planning Board shall prepare a report to the Town Meeting on the condition of the way offered for acceptance and any exceptions to the Rules and Regulations that might apply.

5.3 Before a way can be accepted by Town Meeting a complete and current record plan and profile must be submitted to the Board of Selectmen for majority approval and signature.

A. Prior to the submission of the record plan and profile it shall be signed and approved by the Director of Public Works, Town Engineer and the Planning Board Engineer or a Registered Professional Engineer as the case may be.

B. The plan and profile will comply with standards promulgated by the Director of Public Works and approved by the Board of Selectmen.

5.4 All proposed changes to an existing town accepted way shall be submitted by petition to the Board of Selectmen.

A. A layout plan ONLY will be required to discontinue a way.

5.5 All ways within the town which have never been accepted by the Town may be submitted to the Board of Selectmen for acceptance by the Town Meeting.

A. A petition signed by at least ten (10) registered voters shall accompany the submission to the Board of Selectmen.

B. Each petition will be accompanied by an agreement signed by all property owners abutting the way who claim no damages or will release their damages and a listing of the names of all other property owners who decline to release and the damages claimed by them.

5.6 After approval, by the Board of Selectmen, the record plan and profile will be date and time filled with the Town Clerk.

5.7 Upon acceptance at Town Meeting, the record plan and profile will be transferred to the Engineering Section of the Department of Public Works to be retained as a permanent record.

5.8 If the way is not accepted at Town Meeting, the plan and profile will be returned to the proponent to be held until further action is taken.

5.9 The Director of Public Works shall, with the approval of the Town Administrator and the Board of Selectmen, establish Rules and Regulations for the development of ways which are not developed but which are opened up; virtually impassable, have inadequate access; access is non-existent; or the existing way requires construction to provide safe access.

A. These Rules and Regulations shall be updated as necessary.

6. DEFINITIONS
Way: Any street, road, avenue, lane or other public way.

Seconded.

Finance Committee concurred.

Rules Committee concurred.

By-Law Review Committee concurred.

Moderate discussion ensued when Rep. Dampolo moved the question. Seconded. The motion to end debate CARRIED unanimously.

The motion as presented CARRIED.

Approved by Atty. Gen. July 18, 1994

**ARTICLE 18:**

**By-Law Review Committee Chairman Young moved to delete Articles 8 and 19 of the General By-Laws and replace them with the following new Article 8:**

**ARTICLE VIII**
**PUBLIC UTILITIES**

1. WATER
   - 1.1 Rules and regulations for the Water Division of the Department of Public Works shall be established by the Director of Public Works.
   - 1.2 The rules and regulations shall be approved by the Board of Selectmen and the Town Administrator.
   - 1.3 Customers shall use water within these rules and regulations.
   - 1.4 The customer shall state what the water shall be used for on their application.
   - 1.5 These rules and regulations shall be updated as necessary.
   - 1.6 This section shall not apply to any residence now served by an existing Town water system.

2. ASSESSMENTS
   - 2.1 The Town of Billerica shall levy special assessments to meet the cost incurred for laying water pipes in public and private ways for the conveyance of distribution of water.
   - 2.2 An owner of land which receives benefit from the laying of pipes for the distribution of water to his land or buildings shall pay a proportionate amount of the cost not already assessed for those pipes.
   - 2.3 The entire cost of laying or extending water pipes shall be determined by a designee of the Director of Public Works.

3. FEES
   - 3.1 Any person applying for water service from any main or main extension which was installed by or as a requirement of the town shall prior to the installation of water service, pay to the Town an entrance fee as established by the rules and regulations as established by this article.
   - 3.2 The fee or any portion thereof shall be waived if the customer, has paid a fee for or has been party to, the installation of the main or main extension or it is the determination of the Director of Public Works or his designee that he should be exempt for the reason of hardship.

4. SEWERS
   - 4.1 The owner of any building upon land abutting a common sewer line, shall be required to connect to the same by a sufficient drain within one (1) year from the time said sewer line passes their property as stated in Article II, Section I of the Town Sanitary Rules and Regulations.

5. TIE-IN PRIOR TO SALE
   - 5.1 The owner of any building upon property abutting a common sewer line, who has entered an agreement to sell said property, shall be required to tie-in to the said sewer line prior to the completion of the sale of said property.

Seconded.

Finance Committee concurred

Rules Committee concurred.

The motion as presented CARRIED.

It was moved and seconded to adjourn. The Moderator declared the motion LOST. The vote was questioned and a rising vote was taken. With fifty-eight (58) voting in favor and eighty (80) opposed, the motion to adjourn LOST.

Approved by the Atty. Gen. July 18, 1994.

**ARTICLE 20:**

Historic District Chairman Young moved to amend the Zoning By-Laws as written in the warrant. Seconded.

Finance Committee concurred.

Planning Board Chairman Bossi gave the report of the public hearing held April 25, 1994. Due notice was given in the Billerica Minuteman an Thursday, April 9 and April 16, 1994. The Board with seven (7) members present

and voting, voted three (3) in favor, four (4) opposed to this amendment.

Rep. Young explained the article.

With one hundred fourteen (114) voting in favor and twenty-six (26) opposed, the motion as presented CARRIED unanimously

Approved by the Atty. Gen. July 18, 1994

**ARTICLE 21:**

Planning Board Chairman Bossi moved to amend the Zoning By-Laws by adding the following to become Section 5.9.D:

D. **Permitted Uses:** In addition to the uses described under Section 2.2 all uses which are allowed by right or special permit in the General Business District shall be likewise permitted in the Adult Entertainment District.

Seconded.

Finance Committee concurred.

Planning Board Chairman Bossi gave the report of the public hearing held April 25, 1994. Due notice was given in the Billerica Minuteman on April 9 and April 16, 1994. With seven (7) members voting, the Board voted seven (7) in favor and zero (0) opposed to this amendment.

The motion as presented CARRIED.

Approved by the Atty. Gen. July 18, 1994

**ARTICLE 22:**

Planning Board Chairman Bossi moved to rezone from a General Business District to an Adult Entertainment District the whole or any part of land owned by Thomas A. McGarry and Norman J. McKay in Billerica, bounded and described as follows:

Beginning at a stake at the northwesterly corner of the granted premises at said Boston Road, and land of John J. Nuttall, et ux, now or formerly; thence easterly along said Nuttall land 268.51 feet, more or less, to a stake at land on one Campbell, now or formerly; thence southerly at an angle of 73 degrees 30' along said Campbell land 76.35 feet to an iron pipe in the ground; thence southerly at an angle of 192 degrees 51' along land of Fred C. Smith, now or formerly 48 feet to land on one Michalek; thence westerly at an angle of 102 degrees 05' along said land of Michalek 163.5 feet to said Boston Road; thence northwesterly at an angle 108 degrees 35' along said Boston Road; 38 feet to a highway stone bound on said Boston Road; thence continuing northwesterly along said Boston Road by a curved line, having a radius of 1,157.14 feet, 128.60 feet to the point of beginning.

Seconded. Finance Committee concurred.

Planning Board Chairman Bossi gave the report of the public hearing held April 25, 1994. Due notice was given in the Billerica Minuteman on April 9, and April 16, 1994. The Board with seven members voting, voted six (6) in favor and one (1) opposed to this amendment.

Discussion ensued when Rep. Dampolo moved the question. Seconded. The motion to end debate carried unanimously.

The motion as presented was put to a vote. With one hundred twenty-nine (129) voting in favor and five (5) opposed, the motion to rezone CARRIED.

Approved by the Atty. Gen. July 18, 1994

Rep. Moreira moved to ratify and affirm all the action taken during the Special Town Meeting. Seconded. Motion CARRIED.

Rep. Moreira moved to adjourn. Seconded. The motion to adjourn CARRIED.

The Special Town Meeting was declared dissolved at 10:28 P.M.

A True Copy
ATTEST:

Shirley E. Schult, CMC, CMMC
Town Clerk

# ANNUAL SPRING TOWN MEETING
# MAY 3, 1994

## MAURICE A. BUCK MEMORIAL AUDITORIUM
## PRELIMINARY MEETING - APRIL 28, 1994

The preliminary meeting of the Annual Spring Town Meeting was held Thursday, April 28, 1994 at 7:30 P.M. in the Maurice A. Buck Memorial Auditorium in the Town Hall for the following purposes:

1. To swear in newly elected and re-elected Town Meeting Members
2. To hold Precinct Caucuses to fill precinct vacancies
3. To elect Precinct Chairpersons and Precinct Clerks
4. To elect members to the committee on Rules, per Town Charter, Section 8-4 (1) (1)

Precinct caucuses were held and the following Town Meetings Members were elected:

| | |
|---|---|
| Precinct 1 | Sandra Porter Libby - 371 Boston Road |
| | Lawrence M. Libby, Jr. - 371 Boston Road |
| Precinct 3 | Lee A. Scalzilli - 13 Lamont Street |
| Precinct 4 | Natale J. Kammides - 17 Pratt Street |
| Precinct 9 | Diane L. Milano - 135 Partridge Road |
| Precinct 10 | Dolores E. Couture - 11 George Brown Street |

The following Precinct Chairpersons and Clerks were elected:

| | | |
|---|---|---|
| Precinct 1: | Chairperson: | Anthony Barbere, 7 Olde Hillside Avenue |
| | Clerk: | Barbara G. Norman, 4 Philip Road |
| Precinct 2: | Chairperson: | Joan C. McDonald, 2 Schaefer Street |
| | Clerk: | Carol D. Wood, 29 Call Street |
| Precinct 3: | Chairperson: | John F. Gray, Jr., 65 Ellingwood Avenue |
| | Clerk: | Lillian J. Aresenault, 71 Bicknell Road |
| Precinct 4: | Chairperson: | Joanne Giovino, 10 Eastview Avenue |
| | Clerk: | Nancy Emus, 86 Concord Road |
| Precinct 5: | Chairperson: | Ralph M. Krau, 30 Champa Road |
| | Clerk: | Kenneth L. Buffum, 86 Baldwin Road |
| Precinct 6: | Chairperson: | Cosmo D. Cavicchio, 49 Dyer Street |
| | Clerk: | Malcolm P. McDowell, 56 Riveredge Road |
| Precinct 7: | Chairperson: | Donald J. Flynn, 403 Middlesex Turnpike |
| | Clerk: | Barbara A. Flynn, 403 Middlesex Turnpike |
| Precinct 8: | Chairperson: | Barbara Morrissey, 10 Sumac Street |
| | Clerk: | Ruthanne Allen Bossi, 12 Bayberry Lane |
| Precinct 9: | Chairperson: | Dianne Bonnell, 22 Elizabeth Road |
| | Clerk: | Elaine T. Horlink, 1 Lorraine Terrace |
| Precinct 10: | Chairperson: | Doris M. Pearson, 25 Harjean Road |
| | Clerk: | Christopher Blake, 5 Norman Road |

The following persons were elected to serve on the Committee on Rules:

| | |
|---|---|
| Precinct 1: | Roger Biagiotti, Jr., 214 Treble Cove Road |
| Precinct 3: | Lawrence R. Norman, 18 Shelburne Avenue |
| Precinct 4: | Robert D. Killeen, 7 Locke Road |
| Precinct 6: | Dorothy M. Callihan, 14 Rexhame Street |
| Precinct 7: | Leon Seymour, 16 Fuller Road |
| Precinct 8: | Francis Fraz Fraine, 24 Floyd Street |
| Precinct 9: | Rino Moriconi, 48 Elizabeth Road |
| Precinct 10: | Patricia A. Rossetti, 11 Norman Road |

The Preliminary Town Meeting session adjourned at 8:39 P.M. This was followed by an orientation session for newly elected Town Meeting Members sponsored by the League of Women Voters.

A True Copy
ATTEST:

Shirley E. Schult, CMC, CMMC
Town Clerk

# ANNUAL SPRING TOWN MEETING
# MAY 3, 1994

## MAURICE A. BUCK MEMORIAL AUDITORIUM
## FIRST SESSION - MAY 3, 1994

Prior to the start of Town Meeting, Oren D. Hunt, Jr., Richard G. January, Louise M. French, Karen A. Miller and Dorothy M. Callihan were appointed tellers by Moderator Maureen Sullivan and sworn in by Town Clerk Shirley E. Schult.

A quorum count was taken. With one hundred thirty-seven (137) Town Meeting Members present, the Annual Spring Town Meeting was declared in session at 7:39 P.M.

Rev. Jack Parrott, Pastor of the First Baptist Church on River Street, gave the invocation.

Dr. Robert Calabrese, Superintendent of Schools introduced the Billerica High School Chorus which sang the National Anthem. This was followed by a minute of silence to remember the following deceased persons who had served the Town:

Paul F. Ford, deceased November 17,1993, School Committee Member from 1971-1977, Planning Board Member from 1992-1993, Town Meeting Member from 1971-1976, and 1991-1993, Selectman from April, 1993-November, 1993; James J. Galvin Sr., deceased October 3, 1993, Billerica Housing Authority from 1976-1989, Fire Station Building Committee from 1981-1986, Town Meeting Member from 1957-1972, Additional Municipal Space Committee from 1979-1980; William H. O'Brien, Jr., deceased October 29, 1993, Project Inspector of Marshall Middle School, Hajjar Elementary School, New Addition/ Billerica Memorial High School. Maintenance Supervisor of Billerica Public Schools from 1975-1991; Paul J. Heffernan, deceased September 27, 1993, Billerica Teacher from 1976-1993.

Dr. Calabrese invited High School Principal Dr. Thomas Sharkey and Billerica School Committee Chairperson Maureen Collins-Rea to the podium to make two presentations.

The first presentation was to Salutatorian Jennifer Garrett, daughter of Susan Clark-Cook of Oak Street. Jennifer, second in a class of 324 students, has been a four-year high honors student, a member of the National Honor Society and active in community projects. She has been awarded a Presidential Scholarship by Wellsley College where she will attend in the fall.

The second award was to Zoe Lawson, daughter of Fred and Catherine Lawson of Concord Road, the Valedictorian of the graduating class of 324 students. She has been a four-year high honor student, a National Honor Society Member and active in extracurricular and community activities. She has received the University of Mass. Chancellor's Award for Academic Achievement, the Bausch and Lomb Science Award and the Dartmouth Book Award. She has received a four-year scholarship from Bates College.

The Memorial High School Chorus, under the direction of Susanne M. Robertson and accompanied by Jeffrey Gage on the keyboard, sang several selections from the Spring Musical "Carousel".

Moderator Sullivan presented plaques to the following persons in appreciation for their many years of continued service as Town Meeting Members:

Marion Potter, Mary Pasho, Elizabeth McCarthy, Maurice Houlne, Gilbert Griggs, Thomas H. Conway, Jr. and Gordon Brainerd for the thirty-eight (38) years that Representative Town Meeting Government has been used in Billerica. Also, to Kenneth L. Buffum for thirty-six (36) years of continuous Town Meeting attendance.

Moderator Sullivan appointed Gilbert Moreira as Deputy Moderator. The appointment was unanimously ratified by the body. Moderator Sullivan then swore in her deputy.

It was moved, seconded and VOTED to accept the warrant as duly served by the Constable.

It was moved, seconded and VOTED unanimously to dispense with the reading of the articles in the warrant.

Finance Committee Chairperson Sargent moved to bring Article 2 forward at this time. Seconded.

The Motion CARRIED.

**ARTICLE 2:**

The Finance Committee moved that the Town vote to fix the compensation of the following six elected officers of the Town and determine the salary increase that shall become effective July 1, 1994:

| | | |
|---|---|---|
| Selectman, Chairman | $1,535.00 | |
| Selectmen, Member | 1,315.00 | |
| Town Clerk | 51,608.00 | (including longevity) |

Seconded.

Rep. Caporale moved to amend the article by increasing the Chairman's salary to $2,750.00 and the Members to $2.000.00 each. Seconded.

The motion as presented by Rep. Caporale LOST.

The motion as presented by the Finance Committee CARRIED.

Rep. Donald Flynn moved to reinstituted the use of the blackboard to keep a running total of the effect that any action taken has on the tax rate. Seconded. Motion CARRIED.

**ARTICLE 1:**

Selectman Hurd moved that the Town adopt, pursuant to Article 5 of the Billerica Home Rule Charter, the proposed line item budget for fiscal year FY95 as printed in the Finance Committee booklet and that we raise and appropriate the amounts proposed by the Finance Committee. Seconded.

Town Administrator Robert Mercier gave a lengthy presentation on the budget, the tax rate formula, long and short term goals and the projected revenues.

Following an explanation of the "hold" system, Deputy Moderator Moreira assumed the chair. He read each budget line item and the Town Clerk noted those items which were held and the name of the person placing the hold.

After all "holds" had been noted, Rep. DeSimone moved that all budget items not held for discussion be approved according to the Finance Committee recommendations. Seconded.

The motion CARRIED.

**Account #122-5110 - Personnel - Board of Selectmen**

Finance Committee moved to raise and appropriate the sum of $10,219.00 to fund this account. Seconded.

Selectman Cangiamila moved to amend the figure to $8,904.00. Seconded.

The figure of $8,904.00 to fund Account #122-5110 CARRIED.

**Account #123 - Town Administrator**

Finance Committee moved to raise and appropriate the sum of $210,062.00 to fund the entire Town Administrator's budget. Seconded.

The motion of $210,062.00 to fund Account #123 - Total - Town Administrator CARRIED.

**Account 135-5110 - Personnel - Town Accountant**

Finance Committee moved to raise and appropriate the sum of $146,584.00 to fund this account. Seconded. The motion for $146,584.00 to fund Account #135-5110 CARRIED.

**Account #151 - Legal Department**

Finance Committee moved to raise and appropriate the sum of $115,000.00 to fund this account. Seconded.

Rep. Caporale moved the figure of $100,000.00 to fund this account. Seconded.

Rep. Dampolo moved to end debate. Seconded. The motion to end debate CARRIED unanimously.

The motion for $100,000.00 LOST.

The motion for $115,000.00 to fund Account #151 CARRIED.

**Account #541-5120 - Permanent Part-Time - Council On Aging**

Finance Committee moved to raise and appropriate the sum of $49,639.00 to fund this account. Seconded.

Selectman Cangiamila moved the figure of $50,954.00. Seconded. The motion for $50,954.00 to fund Account #541-5120 CARRIED.

**Account #129-5400 - Supplies & Expenses - Cable Advisory Committee**

Finance Committee moved to raise and appropriate the sum of $25.00 to fund this account. Seconded.

Rep. Bonnell moved the figure of "zero". Seconded. The motion for "zero" LOST.

The motion for $25.00 to fund Account #129-5400 CARRIED.

Moved and seconded to adjourn. Motion CARRIED. The first session of the Annual Spring Town Meeting adjourned at 10:10 P.M.

A True Copy
ATTEST:

Shirley E. Schult, CMC, CMMC
Town Clerk

# ANNUAL SPRING TOWN MEETING
# MAY 3, 1994

### MAURICE A. BUCK MEMORIAL AUDITORIUM
### SECOND SESSION - MAY 5, 1994

Prior to the start of Town Meeting, Precinct caucuses were held and the following Town Meeting Members were elected:

Precinct 1: Brian J. Lewis, 8 Fernwood Road

Precinct 4: Carol Conant, 12 Apple Orchard Drive
George E. Noel, 1 Locke Road

Precinct 9: Steven Rosa, 128 Partridge Road

A quorum count was requested. With one hundred twenty-nine (129) Town Meeting Members present, the Town Meeting was declared in session at 7:40 P.M.

Bernard Hoar, Warrant Action Committee Chairperson gave the committee report. It was moved, seconded and VOTED to accept the Committee report.

Rep. Moreira moved to adjourn the Annual Spring Town Meeting until after the completion of the business of the Special Town Meeting. Seconded. Motion CARRIED. The second session of the Annual Spring Town Meeting adjourned at 7:53 P.M.

A True Copy
ATTEST:

Shirley E. Schult, CMC, CMMC
Town Clerk

# ANNUAL SPRING TOWN MEETING
# MAY 3, 1994

### MAURICE A. BUCK MEMORIAL AUDITORIUM
### THIRD SESSION - MAY 12, 1994

A quorum count was requested. With one hundred twenty-nine (129) Town Meeting Members present, the Town Meeting was declared in session at 7:39 P.M.

Ralph Bacon, Billerica's representative on the Scenic River Study Committee gave a progress report of the Sudbury, Assabet and Concord Rivers Wild and Scenic River Study.

Rep. Moreira moved the following resolution:

"Be it Resolved that the name of Christopher Bulens be placed in the record of the 1994 Annual Town Meeting in recognition of his service to the community of Billerica. Furthermore, that Christopher Bulens, Eagle Scout of Troop 11, will be commended for his landscaping project at the Locke Middle School."

Seconded.

The motion CARRIED unanimously.

**ARTICLE 17:**
Rep. Bonnell moved that Article 17 be the first order of business on Tuesday, May 17, 1994. Seconded.

Motion CARRIED.

**ARTICLE 44:**
Rep. Gray moved that Article 44 be brought forward at this time. Seconded. The motion LOST.

**ARTICLE 47:**
Finance Committee Chairperson Sargent moved that Article 47 be the second order of business on May 17. Seconded.

With fifty-seven (57) in favor and sixty-four (64) opposed, the motion LOST.

**ARTICLE 26:**
Rep. Krau moved that Article 26 be the first order of business on Thursday, May 19th. Seconded.

The motion CARRIED.

**ARTICLE 1 Cont.**

**Account #210-5110 - Personnel - Police Dept.**
Finance Committee moved to raise and appropriate the sum of $2,987,152.00 to fund this account. Seconded.

Much discussion ensued relative to restructuring of the department and the impact that the education incentive (Quinn Bill) has on the budget.

Rep. Delorey moved to reduce the Finance Committee figure by $1.00 to send a message to the administration that these items must be addressed in the next contract negotiations. Seconded.

Discussion continued. Rep. Smith moved to end debate on both the motion and the amendment. Seconded. The motion to end debate CARRIED unanimously.

The motion to raise and appropriate $2,987,151.00 for Account #210-5110 CARRIED.

**Account #210-5120 - Permanent Part-Time - Police Dept.**

Finance Committee moved to raise and appropriate the sum of $17,730.00 to fund this account. Seconded.

The motion to raise and appropriate $17,730.00 to fund Account #210-5120 CARRIED.

Account #210-5130 - Overtime - Police Department

Finance Committee moved to raise and appropriate the sum of $235,000.00 to fund this account. Seconded.

Rep. Sargent moved to split the Overtime account into two accounts; Overtime - $177,043.00 and to Overtime/Certification Training - $57,957.00. Seconded.

Discussion ensued, when Rep. Moreira moved the question. Seconded. The motion to end debate CARRIED unanimously.

The motion to divide the account was put to a rising vote. With forty-nine (49) voting in favor and ninety-six (96) opposed, the motion LOST.

The motion to raise and appropriate $235,000.00 to fund Account #210-5130 CARRIED.

**Account #210-5400 - Supplies & Expenses - Police Department**

Finance Committee moved to raise and appropriate the sum of $124,170.00 to fund this account. Seconded.

The motion to raise and appropriate $124,170.00 to fund Account #210-5400 CARRIED.

**Account #210-5200 - Contract Services - Police Dept.**

Finance Committee moved to raise and appropriate the sum of $123,600.00 to fund this account. Seconded.

The motion to raise and appropriate the sum of $123,600.00 to fund Account #210-5200 CARRIED.

**Account #210-5800 - Capital Outlay - Police Dept.**

Finance Committee moved to raise and appropriate the sum of $60,514.00 to fund this account. Seconded.

The motion to raise and appropriate $60,514.00 to fund Account #210-5800 CARRIED.

Moved and seconded that the total amount to be raised and appropriated for the Police Department budget be $3,548,165.00. Motion CARRIED.

**Account #220-5110 -Personnel - Fire Dept.**

Finance Committee moved to raise and appropriate the sum of $3,295,129.00 to fund this account. Seconded.

The motion to raise and appropriate $3,295.129.00 to fund Account #220-5110 CARRIED.

**Account #220-5130 - Overtime - Fire Dept.**

Finance Committee moved to raise and appropriate the sum of $235,000.00 to fund this account. Seconded.

The motion to raise and appropriate $235,000.00 to fund Account #220-5130 CARRIED.

**Account #220-5400 - Supplies & Expenses - Fire Dept.**

Finance Committee moved to raise and appropriate the sum of $95,150.00 to fund this account. Seconded.

The motion to raise and appropriate the sum of $96,150.00 to fund Account #220-5400 CARRIED.

**Account #220-5200 - Contract Services - Fire Department**

Finance Committee moved to raise and appropriate the sum of $52,200.00 to fund this account. Seconded.

The motion to raise and appropriate the sum of $52,200.00 for Account #220-5200 CARRIED.

**Account #220-5250 -Utilities - Fire Department**

Finance Committee moved to raise and appropriate the sum of $44,100.00 to fund this account. Seconded.

The motion to raise and appropriate $44,100.00 to fund Account #220-5250 CARRIED.

**Account #220-5800 - Capital Outlay - Fire Department**

Finance Committee moved to raise and appropriate the sum of $8,150.00 to fund this account. Seconded.

The motion to raise and appropriate $8,150.00 for Account #220-5800 CARRIED.

Moved and seconded that the total amount to be raised and appropriated for the Fire Department budget be $3,730,729.00 Motion CARRIED.

**Account #424-5200 - Contract Services - Street Lighting**

Finance Committee moved to raise and appropriate the sum of $196,907.00 to fund this account. Seconded.

The motion to raise and appropriate $196,907.00 for Account #424-5200 CARRIED.

**Account #421-5110 - Personnel - Public Works Administrator**

Finance Committee moved to raise and appropriate the sum of $213,197.00 to fund this account. Seconded.

It was noted that the large increase in this line item was due to restructuring within the Public Works. All clerks are now included under this line item.

The motion to raise and appropriate $213,197.00 for Account $421-5110 CARRIED.

**Account #422-5220 - Paving -Highway Dept.**

Finance Committee moved to raise and appropriate the sum of $25,000.00 to fund this account. Seconded.

Rep. Baker moved to amend the figure to $100,000.00. Seconded.

Much discussion ensued relative to the condition of the roadways currently paved as well as streets that remain unpaved after many years.

Rep. King moved to raise and appropriate the sum of $78,500.00 to fund this account. Seconded.

Discussion continued. Rep. McDonald moved the question on both the amendments and the main motion. Seconded. The motion to end debate CARRIED unanimously.

Discussion continued. Rep. McDonald moved the question on both the amendment and the main motion. Seconded. The motion to end debate CARRIED unanimously.

The amendment to raise and appropriate $100,000.00 LOST.

The amendment to raise and appropriate $78,500.00 to fund Account 422-5220 was put to a rising vote. With eighty-nine (89) voting in favor and forty-three (43) opposed, the motion CARRIED.

**Account #422-5278 - Snow & Sand - Highway Dept.**

Finance Committee moved to raise and appropriate the sum of $275,000.00 to fund this account. Seconded.

Discussion ensued. Rep. Callihan moved to end debate. Seconded. The motion to end debate CARRIED unanimously.

The motion to raise and appropriate $275,000.00 For account #422-5278 CARRIED.

It was moved, seconded and VOTED to adjourn until Tuesday evening. The third session of the annual Spring Town Meeting adjourned at 10:37 P.M.

A True Copy
ATTEST:

Shirley E. Schult, CMC, CMMC
Town Clerk

# ANNUAL SPRING TOWN MEETING
# MAY 3, 1994

### MAURICE A. BUCK MEMORIAL AUDITORIUM
### FOURTH SESSION - MAY 17, 1994

A quorum count was taken. With one hundred twenty-eight (128) Town Meeting Members present, the Town Meeting was declared in session at 7:37 P.M.

**Account #650-5800 - Capital Outlay - Parks & Trees**
Finance Committee moved to raise and appropriate the sum of $15,000.00 for this account. Seconded.

The motion to raise and appropriate $15,000.00 to fund Account #650-5800 CARRIED.

**Account #453-5400** - Supplies & Expenses - Water Treatment Plant

Finance Committee moved to raise and appropriate the sum of $258,450.00 to fund this account. Seconded.

The motion to raise and appropriate $258,450.00 for Account #453-5400 CARRIED.

**Account #300 - Total - Billerica Schools**
Finance Committee moved to raise and appropriate the sum of $28,577,902.00 to fund this account, Seconded.

The motion to raise and appropriate $28,577,902.00 for account #300 - Billerica School CARRIED.

**Account #610-5110 - Personnel - Public Library**
Finance Committee moved to raise and appropriate $141,513.00 to fund this account. Seconded.

The motion to raise and appropriate $141,513.00 to fund Account #610-5110 - Personnel CARRIED.

**Account #491-5110 - Personnel - Cemetery Dept.**
Finance Committee moved to raise and appropriate the sum of $114,521.00 to fund this account. Seconded.

The motion to raise and appropriate $114,521.00 for Account #491-5110 CARRIED.

**Account #491-5130 - Overtime - Cemetery Dept.**
Finance Committee moved to raise and appropriate the sum of $19,614.00 to fund this account. Seconded.

The motion to raise and appropriate $19,614.00 for Account #491-5130 CARRIED.

**Account #491-5400 - Supplies & Expenses - Cemetery Dept.**
Finance Committee moved to raise and appropriate the sum of $10,640.00 to fund this account. Seconded.

The motion to raise and appropriate $10,640.00 for Account #491-5400 CARRIED.

**Account #491-5200** - Contract Services - Cemetery Dept.

Finance Committee moved to raise and appropriate the sum of $10,399.00 to fund this account. Seconded.

The motion to raise and appropriate $10,399.00 for Account #491-5200 CARRIED.

**Account #491-5800 - Capital Outlay - Cemetery Dept.**
Finance Committee moved to raise and appropriate the sum of $750.00 to fund this account. Seconded.

The motion to raise and appropriate $750.00 for Account #491-5800 CARRIED.

The motion to raise and appropriate $155,924.00 for Account #491-Total Cemetery Department was seconded. Motion CARRIED

**Account #710-7180 -New Debt - School - Principal**
Finance Committee moved to raise and appropriate the sum of $167,500.00 to fund this account. Seconded.

The motion to raise and appropriate $167,500.00 for Account #710-7190 CARRIED.

**Account #710-7590 New Debt Interest School**
Finance Committee moved to raise and appropriate the sum of $51,656.00 to fund this account. Seconded.

The motion to raise and appropriate $51,656.00 for Account #710-7590 CARRIED.

**Account #155-5880 - TG - Computer**
Finance Committee moved to raise and appropriate the sum of $115,000.00 to fund this account. Seconded.

The motion to raise and appropriate $115,000.00 for Account #155-5880 CARRIED.

**Account #193-5308 - Town Audit**

Finance Committee moved the sum of "zero" to fund this account. Seconded.

Rep. McKenna moved to amend the figure to $18,500. Seconded.

The motion to raise and appropriate $18,500 LOST.

The motion for "zero" for account #193-5308 CARRIED.

Rep. McKenna moved to reconsider this account. Seconded. The motion to reconsider LOST.

**Account #193-5312 - Reserve Fund**

Finance Committee moved to raise and appropriate the sum of $50,000.00 to fund this account. Seconded.

Rep. Moreira moved the question. Seconded. The motion to end debate CARRIED unanimously.

The motion to raise and appropriate $50,000.00 for Account #193-5312 CARRIED.

Rep. Moreira moved to ratify and affirm all action taken on Article 1. Seconded. Motion CARRIED.

**FISCAL YEAR '95 BUDGET**

| ACCOUNT | TRANSFERS | RAISE & APPROP. | TOTAL |
|---|---|---|---|
| **122 - BOARD OF SELECTMEN** | | | |
| * 5110 - Personnel | | 8,904.00 | |
| 5400 - Supplies & Expenses | | 2,043.00 | |
| 5200 - Contract Services | | 7,675.00 | |
| 5710 - Travel - In State | | 500.00 | 19,122.00 |
| **123 - TOWN ADMINISTRATOR** | | | |
| * 5110 - Personnel | | 195,425.00 | |
| * 5120 - Permanent Part-Time | | 11,237.00 | |
| * 5400 - Supplies & Expenses | | - 0 - | |
| * 5200 - Contract Services | | 1,000.00 | |
| * 5226 - Car Allowances | | 2,400.00 | 210,062.00 |
| **135 - TOWN ACCOUNTANT** | | | |
| * 5110 - Personnel | | 146,584.00 | |
| 5400 - Supplies & Expenses | | 275.00 | |
| 5200 - Contract Services | | 5,260.00 | |
| 5800 - Capital Outlay | | 1,400.00 | 153,519.00 |
| **145 - TREASURER** | | | |
| 5110 - Personnel | | 295,176.00 | |
| 5400 - Supplies & Expenses | | 6,000.00 | |
| 5200 - Contract Services | | 76,513.00 | |
| 5710 - Travel - In State | | -0- | |
| 5226 - Car Allowance | | 200.00 | 377,889.00 |
| **146 - TAX COLLECTOR** | | | |
| 5110 - Personnel | | -0- | |
| 5400 - Supplies & Expenses | | -0- | |
| 5200 - Contract Services | | -0- | |
| 5800 - Capital Outlay | | -0- | -0- |
| **141 - ASSESSOR** | | | |
| 5110 - Personnel | | 160,972.00 | |
| 5120 - Permanent Part-Time | | 17,727.00 | |
| 5400 - Supplies & Expenses | | 1,500.00 | |
| 5200 - Contract Services | | 12,415.00 | |

| ACCOUNT | TRANSFERS | RAISE & APPROP. | TOTAL |
|---|---|---|---|
| 5218 - Legal | | -0- | |
| 5226 - Car Allowance | | 1,275.00 | 193,889.00 |
| **161 - TOWN CLERK** | | | |
| 5110 - Personnel | | 108,952.00 | |
| 5400 - Supplies & Expenses | | 500.00 | |
| 5200 - Contract Services | | 2,085.00 | |
| 5800 - Capital Outlay | | 798.00 | 112,335.00 |
| **543 - VETERANS' SERVICES** | | | |
| 5110 - Personnel | | 59,994.00 | |
| 5400 - Supplies & Expenses | | -0- | |
| 5200 - Contract Services | | 95.00 | |
| 5226 - Car Allowance | | 840.00 | |
| 5280 - Veterans Benefits | | 290,000.00 | 350,929.00 |
| **192 - TOWN HALL** | | | |
| 5110 - Personnel | | 29,778.00 | |
| 5400 - Supplies & Expenses | | 50,511.00 | |
| 5200 - Contract Services | | 102,608.00 | 182,897.00 |
| **151 - LEGAL DEPARTMENT** | | | |
| 5110 - Personnel | | -0- | |
| * 5200 - Contract Services | | 115,000.00 | 115,000.00 |
| **163 - BOARD OF REGISTRARS** | | | |
| 5110 - Personnel | | 59,610.00 | |
| 5400 - Supplies & Expenses | | 4,561.00 | |
| 5200 - Contract Services | | 3,855.00 | 68,026.00 |
| **162 - ELECTION DEPARTMENT** | | | |
| 5110 - Personnel | | 43,045.00 | |
| 5400 - Supplies & Expenses | | 825.00 | |
| 5200 - Contract Services | | 6,660.00 | |
| 5800 - Capital Outlay | | 17,804.00 | 68,334.00 |
| **175 - PLANNING BOARD** | | | |
| 5110 - Personnel | | 73,851.00 | |
| 5130 - Overtime | | 1,500.00 | |
| 5400 - Supplies & Expenses | | 725.00 | |
| 5200 - Contract Services | | 1,050.00 | |
| 5800 - Capital Outlay | | 250.00 | 77,376.00 |
| **176 - BOARD OF APPEALS** | | | |
| 5110 - Personnel | | 29,533.00 | |
| 5130 - Overtime | | 1,500.00 | |
| 5400 - Supplies & Expenses | | 500.00 | |
| 5200 - Contract Services | | 100.00 | 31,633.00 |
| **152 - PERSONNEL BOARD** | | | |
| 5110 - Personnel | | -0- | |
| 5130 - Overtime | | -0- | |
| 5400 - Supplies & Expenses | | -0- | |
| 5200 - Contract Services | | -0- | -0- |

| ACCOUNT | TRANSFERS | RAISE & APPROP. | TOTAL |
|---|---|---|---|
| **131 - FINANCE COMMITTEE** | | | |
| 5120 - Permanent Part-Time | | 1,469.00 | |
| 5400 - Supplies & Expenses | | 50.00 | |
| 5200 - Contract Services | | 1,460.00 | 2,979.00 |
| **171 - CONSERVATION COMMISSION** | | | |
| 5110 - Personnel | | 60,121.00 | |
| 5120 - Permanent Part-Time | | -0- | |
| 5400 - Supplies & Expenses | | 156.00 | |
| 5200 - Contract Services | | 350.00 | |
| 5226 - Car Allowance | | -0- | 60,627.00 |
| **541 - COUNCIL ON AGING** | | | |
| * Permanent Part Time | | 50,954.00 | |
| 5400 - Supplies & Expenses | | 1,000.00 | |
| 5200 - Contract Services | | 14,328.00 | |
| 5250 - Utilities | | -0- | |
| 5226 - Car Allowance | | 1,200.00 | |
| 5800 - Capital Outlay | | 2,250.00 | 69,732.00 |
| **691 - HISTORICAL COMMISSION** | | | |
| 5400 - Supplies & Expenses | | 100.00 | |
| 5200 - Contract Services | | 500.00 | 600.00 |
| **561 - HANDICAP COMMISSION** | | | |
| 5400 - Supplies & Expenses | | 500.00 | |
| 5200 - Contract Services | | -0- | |
| 5710 - Travel - In State | | -0- | 500.00 |
| **563 - HOUSING PARTNERSHIP** | | | |
| 5150 - Temporary Employees | | 100.00 | |
| 5400 - Supplies & Expenses | | -0- | 100.00 |
| **129 - CABLE ADVISORY COMMITTEE** | | | |
| * 5400 - Supplies & Expenses | | 25.00 | |
| 5200 - Contract Services | | -0- | 25.00 |
| **210 - POLICE DEPARTMENT** | | | |
| * 5110 - Personnel | | 2,987,151.00 | |
| * 5120 - Permanent Part Time | | 17,730.00 | |
| * 5130 - Overtime | | 235,000.00 | |
| * 5140 - Longevity | | -0- | |
| * 5400 - Supplies & Expenses | | 124,170.00 | |
| * 5200 - Contract Services | | 123,600.00 | |
| * 5800 - Capital Outlay | | 60,514.00 | 3,548,165.00 |
| 231 - AMBULANCE | | | |
| 5110 - Personnel | | 296,640.00 | |
| 5120 - Permanent Part Time | | 10,638.00 | |
| 5130 - Overtime | | 77,000.00 | |
| 5400 - Supplies & Expenses | | 15,474.00 | |
| 5200 - Contract Services | | 4,675.00 | 404,427.00 |

| ACCOUNT | TRANSFER | RAISE & APPROP. | TOTAL |
|---|---|---|---|
| **220 - FIRE DEPARTMENT** | | | |
| * 5110 - Personnel | | 3,295.129.00 | |
| * 5130 - Overtime | | 235,000.00 | |
| * 5400 - Supplies & Expenses | | 96,150.00 | |
| * 5200 - Contract Services | | 52,200.00 | |
| * 5250 - Utilities | | 44,100.00 | |
| * 5800 - Capital Outlay | | 8,150.00 | 3,730,729.00 |
| **291 - EMERGENCY MANAGEMENT** | | | |
| 5110 - Personnel | | 7,160.00 | |
| 5400 - Supplies & Expenses | | 14,500.00 | 21,660.00 |
| **292 - DOG OFFICER** | | | |
| 5110 - Personnel | | 28,477.00 | |
| 5400 - Supplies & Expenses | | 2,200.00 | |
| 5200 - Contract Services | | 3,769.00 | 34,446.00 |
| **424 - STREET LIGHTING** | | | |
| * 5200 - Contract Services | | 196,907.00 | 196,907.00 |
| **241 - BUILDING DEPARTMENT** | | | |
| 5110 - Personnel | | 219,229.00 | |
| 5140 - Longevity | | 2,046.00 | |
| 5150 - Temporary Employees | | 5,688.00 | |
| 5400 - Supplies & Expenses | | 2,500.00 | |
| 5200 - Contract Services | | 4,510.00 | |
| 5226 - Car Allowance | | 12,000.00 | 245,973.00 |
| **244 - SEALER OF WEIGHT** | | | |
| 5120 - Permanent Part Time | | 4,980.00 | |
| 5400 - Supplies & Expenses | | 320.00 | |
| 5200 - Contract Services | | 1,110.00 | 6,410.00 |
| **510 - BOARD OF HEALTH** | | | |
| 5110 - Personnel | | 72,013.00 | |
| 5120 - Permanent Part Time | | 18,806.00 | |
| 5130 - Overtime | | 500.00 | |
| 5140 - Longevity | | 738.00 | |
| 5400 - Supplies & Expenses | | 454.00 | |
| 5200 - Contract Services | | 20,713.00 | |
| 5226 - Car Allowance | | 5,024.00 | |
| 5800 - Capital Outlay | | 2,500.00 | 120,748.00 |
| **522 - PUBLIC HEALTH NURSES** | | | |
| 5110 - Personnel | | 30,006.00 | |
| 5120 - Permanent Part Time | | -0- | |
| 5400 - Supplies & Expenses | | 1,475.00 | |
| 5200 - Contract Services | | 1,750.00 | |
| 5226 - Car Allowance | | 400.00 | 33,631.00 |
| **525 - SANITARIAN** | | | |
| 5120 - Permanent Part Time | | -0- | |
| 5200 - Contract Services | | 9,110.00 | 9,110.00 |

| ACCOUNT | TRANSFERS | RAISE & APPROP. | TOTAL |
|---|---|---|---|
| **421 - PUBLIC WORKS ADMINISTRATOR** | | | |
| * 5110 - Personnel | | 213,197.00 | |
| 5130 - Overtime | | 250.00 | |
| 5140 - Longevity | | 7,389.00 | |
| 5400 - Supplies & Expenses | | 2,250.00 | |
| 5200 - Contract Services | | 3,653.00 | |
| 5800 - Capital Outlay | | 4,000.00 | 230,739.00 |
| **410 - PUBLIC WORKS ENGINEER** | | | |
| 5110 - Personnel | | 124,681.00 | |
| 5400 - Supplies & Expenses | | 3,975.00 | |
| 5200 - Contract Services | | 1,300.00 | 129,956.00 |
| **422 - HIGHWAY DEPARTMENT** | | | |
| 5110 - Personnel | | 438,721.00 | |
| 5130A - Overtime Regular | | 30,000.00 | |
| 5130B - Overtime Snow | | 40,000.00 | |
| 5140 - Longevity | | 200.00 | |
| 5150 - Temporary Employees | | 15,720.00 | |
| 5400 - Supplies & Expenses | | 121,055.00 | |
| 5200 - Contract Services | | 33,094.00 | |
| * 5220 - Paving | | 78,500.00 | |
| * 5278 - Snow & Sand | | 275,000.00 | 1,032,290.00 |
| **441 - SEWER DEPARTMENT** | | | |
| 5110 - Personnel | | 665,486.00 | |
| 5130 - Overtime | | 68,000.00 | |
| 5400 - Supplies & Expenses | | 260,892.00 | |
| 5200 - Contract Services | | 271,325.00 | |
| 5250 - Utilities | | 304,000.00 | 1,569,703.00 |
| **650 - PARKS & TREES** | | | |
| 5110 - Personnel | | 110,058.00 | |
| 5130 - Overtime | | 7,500.00 | |
| 5150 - Temporary Employees | | 8,000.00 | |
| 5400 - Supplies & Expenses | | 16,900.00 | |
| 5200 - Contract Services | | 7,850.00 | |
| * 5800 - Capital Outlay | | 15,000.00 | 165,308.00 |
| **492 - MOTOR EQUIPMENT** | | | |
| 5110 - Personnel | | 95,678.00 | |
| 5130 - Overtime | | 16,500.00 | |
| 5400 - Supplies & Expenses | | 125,915.00 | |
| 5200 - Contract Services | | 30,326.00 | |
| 5250 - Utilities | | -0- | 268,419.00 |
| **453 - WATER TREATMENT** | | | |
| 5110 - Personnel | | 441,677.00 | |
| 5130 - Overtime | | 41,200.00 | |
| * 5400 - Supplies & Expenses | | 258,450.00 | |
| 5200 - Contract Services | | 50,248.00 | |
| 5250 - Utilities | | 307,300.00 | |
| 5800 - Capital Outlay | | -0- | 1,098,875.00 |

| ACCOUNT | TRANSFERS | RAISE & APPROP. | TOTAL |
|---|---|---|---|
| **452 - WATER MAINTENANCE** | | | |
| 5110 - Personnel | | 279,015.00 | |
| 5130 - Overtime | | 30,000.00 | |
| 5132 - Flushing Program | | 15,000.00 | |
| 5400 - Supplies & Expenses | | 30,225.00 | |
| 5200 - Contract Services | | 22,408.00 | |
| 5226 - Car Allowance | | 4,400.00 | |
| 5800 - Capital Outlay | | -0- | 381,048.00 |
| **451 - WATER BILLING** | | | |
| 5110 - Personnel | | 94,651.00 | |
| 5130 - Overtime | | 1,000.00 | |
| 5400 - Supplies & Expenses | | 9,815.00 | |
| 5200 - Contract Services | | 14,620.00 | 120,086.00 |
| **454 - CROSS-CONNECTION SECTION** | | | |
| 5110 - Personnel | | 37,034.00 | |
| 5130 - Overtime | | -0- | |
| 5400 - Supplies & Expenses | | 5,225.00 | |
| 5200 - Contract Services | | 50,459.00 | |
| 5800 - Capital Outlay | | -0- | 92,718.00 |
| **300 - BILLERICA SCHOOLS** | | | |
| * 300 - Total | | 28,577,902.00 | 28,577,902.00 |
| **310 - SHAWSHEEN TECHNICAL** | | | |
| 300 - Total | | 3,101,058.00 | 3,101,058.00 |
| **610 - PUBLIC LIBRARY** | | | |
| * 510 - Personnel | | 141,513.00 | |
| 5120 - Permanent Part Time | | 174,466.00 | |
| 5400 - Supplies & Expenses | | 50,435.00 | |
| 5200 - Contract Services | | 26,952.00 | |
| 5250 - Utilities | | 22,000.00 | |
| 5710 - Travel - In State | | 250.00 | 415,616.00 |
| **630 - RECREATIONAL DEPARTMENT** | | | |
| 5110 - Personnel | | 37,092.00 | |
| 5120 - Permanent Part Time | | 55,456.00 | |
| 5400 - Supplies & Expenses | | 3,821.00 | |
| 5200 - Contract Services | | 9,337.00 | |
| 5250 - Utilities | | 960.00 | |
| 5800 - Capital Outlay | | -0- | |
| 5710 - Travel - In State | | -0- | 106,666.00 |
| **631 - SPECIAL RECREATION** | | | |
| 5120 - Permanent Part Time | | -0- | |
| 5400 - Supplies & Expenses | | -0- | |
| 5200 - Contract Services | | -0- | |
| 5710 - Travel - In State | | -0- | -0- |
| **491 - CEMETERY DEPARTMENT** | | | |
| * 5110 - Personnel | | 114,521.00 | |
| * 5130 - Overtime | | 19,614.00 | |
| * 5400 - Supplies & Expenses | | 10,640.00 | |

| ACCOUNT | TRANSFERS | RAISE & APPROP. | TOTAL |
|---|---|---|---|
| * 5200 - Contract Services | | 10,399.00 | |
| * 5250 - Utilities | | -0- | |
| * 5710 - Travel - In state | | -0- | |
| * 5800 - Capital Outlay | | 750.00 | 155,924.00 |
| **710 - DEBT SERVICE** | | | |
| 7150 - Town Debt - Principal | | 2,509,587.00 | |
| 7160 - School Debt - Principal | | 381,575.00 | |
| 7180 - New Debt - Town - Principal | | -0- | |
| * 7190 -New Debt - School - Principal | | 167,500.00 | |
| 7550 - Town Debt - Interest | | 1,027,864.00 | |
| 7560 - School Debt - Interest | | 138,366.00 | |
| 7580 - New Debt Int. - Town | | 151,250.00 | |
| * 7590 - New Debt Int. - School | | 51,656.00 | |
| 7130 - Temporary Borrowing | | 100,000.00 | |
| 7170 - Exempt 2.5 Principal | | 255,000.00 | |
| 7570 - Exempt 2.5 Interest | | 56,445.00 | 4,839,243.00 |
| **TOTAL UNCLASSIFIED ACCOUNTS** | | | |
| 193-5302 - Town Bldg. Insurance | | 275,000.00 | |
| 193-5304 - School Bldg. Insurance | | 55,000.00 | |
| 910-7012 - Town Group Insurance | | 1,160,992.00 | |
| 910-7013 - School Group Insurance | | 1,748,750.00 | |
| 910-7020 - Town Workers Comp. | | 204,297.00 | |
| 910-7021 - School Workers Comp. | | 248,000.00 | |
| 910-7030 - Town Unemployment Comp. | | 500.00 | |
| 910-7031 - School Unemployment Comp. | | 500.00 | |
| 910-7040 - FICA Town | | 62,000.00 | |
| 910-7041 - FICA School | | 110,000.00 | |
| 156-5254 - Town Telephone Service | | 71,000.00 | |
| * 155-5880 - T/G Computer | | 115,000.00 | |
| 155-5420 - T/G Gen. Office Supplies | | 31,000.00 | |
| 155-5239 - T/G Maint. & Repair | | 35,000.00 | |
| 155-5422 - T/G Custodial Supplies | | 11,000.00 | |
| 193-5241 - Professional Cleaning Service | | 12,000.00 | |
| Professional Training | | 8,000.00 | |
| Fleet Leasing | | -0- | |
| 433-5285 - Solid Waste | | 1,570,000.00 | |
| 549-5287 - VFW-P, DAV, VFW-S | | 800.00 | |
| 910-7050 - Connell/Strunk/Husson | | 4,415.00 | |
| 910-7051 - Police & Fire Medical/Exam | | 22,000.00 | |
| Early Retirement Incentive | | -0- | |
| 193-5310 - Memorial Day/Homecoming | | 2,300.00 | |
| 193-5306 - Town Report | | 7,250.00 | |
| * 193-5308 - Town Audit | | -0- | |
| * 193-5312 - Reserve Fund | | 50,000.00 | |
| 1995 Retirements | | 75,000.00 | |
| T/G Early Retirement Stabilization | | 50,000.00 | |
| P/E Early Retirement Stabilization | | 34,000.00 | |
| T/G Scholarship | | 1,250.00 | |
| P/E Scholarship | | 1,250.00 | 5,966,304.00 |
| TOTAL 1995 BUDGET | | | $58,699,635.00 |

Rep. Miller moved to bring Article 38 forward as the second order of business this evening. Seconded. Motion CARRIED.

**ARTICLE 17:**

Rep. Bonnell moved that the Town transfer from Account #422-5220 the sum of $30,000.00 to fund resurfacing and drainage improvements to Harvard Road. Seconded.

Finance Committee did not recommend this article.

John Santoro, Petitioner, was allowed forward to speak on the article. There was much discussion. Rep. Luttrell moved the question. Seconded. The motion to end debate. LOST.

Discussion continued relative to a master list of streets to be paved and when such a plan would be made available. Town Administrator Mercier stated that the Department of Public Works is currently working on a ten-year plan for paving.

Rep. Buffum moved the question. Seconded. The motion to end debate CARRIED.

The motion as presented was put to a rising vote. With fifty-six (56) voting in favor and ninety-eight (98) opposed, the motion LOST.

**ARTICLE 38:**

Rep. Hurd moved to dismiss Article 38. Seconded.

Finance Committee concurred.

The motion to dismiss CARRIED.

**ARTICLE 3:**

Finance Committee Chairman Sargent moved that the Town adopt Article 3 as written in the warrant. Seconded.

Finance Committee concurred.

Moderate discussion ensued when Rep. Dampolo moved the question. Seconded. The motion to end debate CARRIED.

The motion as presented was declared CARRIED. The vote was questioned by more than the necessary seven voters. On a rising vote with ninety-four (94) voting in favor and fifty-six (56) opposed, the Article CARRIED.

**ARTICLE 4:**

Finance Committee moved to dismiss Article 4. Seconded. The motion to dismiss CARRIED.

**ARTICLE 5:**

Selectman Hurd moved to dismiss Article 5. Seconded.

Finance Committee concurred.

The motion to dismiss CARRIED.

Selectman Hurd moved to postpone Article 6 until the last order of business of this Spring Town Meeting. Seconded. The motion CARRIED.

**ARTICLE 7:**

Selectman Hurd moved that the Town authorize the Board of Selectmen and the Town Administrator to utilize remaining funds up to $350,000.00 from the Cemetery Expansion Bond for the cost of engineering services for designing plans and specifications for the construction or reconstruction of sewers, sewerage systems and sewage treatment and disposal facilities. Seconded.

Finance Committee concurred.

Rep. Tracey moved to amend the article to authorize the use of the remaining funds up to $350,000.00 from the Cemetery Expansion Bond for road repairs. Seconded.

Rep. Dampolo moved the question. Seconded. The motion to end debate CARRIED.

The amendment presented by Rep. Tracey LOST.

The main motion as presented CARRIED.

**ARTICLE 8:**

Selectman Hurd moved that the Town raise and appropriate the sum of $35,407.12 to fund the following previous years' bills:

| | |
|---|---|
| Department of Public Works: | |
| Mass. Electric | $29,004.47 |
| Jones Chemical | 5,088.60 |
| Unifirst | 157.65 |
| Civil Defense | |
| Billerica Motor Parts | 131.40 |
| School Department | |
| William R. Brown Co. | 1,025.00 |

Seconded.

Finance Committee concurred.

With one hundred thirty-three (133) in favor and Zero "0" opposed, the motion CARRIED.

**ARTICLE 9:**

Selectman Hurd moved to dismiss Article 9. Seconded.

Finance Committee concurred.

The motion to dismiss CARRIED.

**ARTICLE 10:**

Selectman Hurd moved to transfer from the Insurance Recovery, Old Town Hall Cupola Account the sum of $93,252.10 to account #19792-5400 - Old Town Hall Account FY '92. These funds will be used to repair and replace the Old Town Hall Cupola. Seconded.

Finance Committee concurred.

The motion as presented CARRIED.

**ARTICLE 11:**

Selectman Hurd moved to dismiss Article 11. Seconded. The Finance Committee concurred.

The motion to dismiss CARRIED.

**ARTICLE 12:**

Selectman Hurd moved Article 12 as written in the warrant. Seconded.

Rep. Griggs moved to postpone Article 12 until the next to the last order of business at this Town Meeting. Seconded.

The motion to postpone CARRIED.

**ARTICLE 13:**

Selectman Hurd moved to transfer the sum of $100,000.00 from the Sewer Treatment Plant Expansion Sinking Fund for the purpose of design, engineering and construction of additions and/or modifications to the existing plant. The purpose of these additions and/or modifications is to reduce the concentration levels of chlorine and ammonia compounds in the plant effluent to meet compliance limits set forth by the Federal Environmental Protection Agency and the State Department of Environmental Protection. Seconded.

Finance Committee concurred.

The motion as presented CARRIED.

**ARTICLE 14:**

Rep. McDonald moved to transfer the sum of $6,000.00 from the Cemetery Sale of Lot Fund to the Cemetery Personnel account. Seconded.

Finance Committee concurred.

The motion as presented CARRIED.

**ARTICLE 15:**

Rep. McDonald moved to transfer the sum of $21,000.00 from the Cemetery Sale of Lots Fund to the Cemetery Capital Outlay account for the purpose of purchasing grounds maintenance equipment. Seconded.

Finance Committee concurred.

The motion as presented CARRIED.

**ARTICLE 16:**

Rep. Hunt moved to dismiss Article 16. Seconded.

Finance Committee concurred.

The motion to dismiss CARRIED.

**ARTICLE 18:**

Moved and seconded to postpone Article 18 to the second order of business on Thursday evening. Motion CARRIED.

**ARTICLE 19:**

Rep. Moreira moved to dismiss Article 19. Seconded.

Finance Committee concurred.

The motion to dismiss CARRIED.

**ARTICLE 20:**

Rep. Flynn moved Article 20 as written in the warrant. Seconded.

Finance Committee did not recommend this article.

Rep. Flynn moved to amend the article to send this to a committee of five (5) members, three members of the Finance Committee appointed by vote of the Finance Committee, one member to be appointed by the Moderator and one member of the Board of Selectmen, to study this subject and recommend to the Town Meeting at the Fall Town Meeting a motion to be voted and sent to the Selectmen for possible implementation. Seconded.

The amendment was put to a vote. The amendment CARRIED.

Moved and seconded to bring Article 18 forward at this time. Motion CARRIED.

**ARTICLE 18:**

Rep. Hoar moved to establish a Drug Abuse Resis-

tance Education (D.A.R.E.) Program within the town and to raise and appropriate the sum of $1.00 to fund said D.A.R.E. Seconded.

Finance Committee concurred.

State Representative Greene spoke on the article.

The motion as presented CARRIED.

Rep. Brainerd moved to adjourn until Thursday, May 19th at 7:30 P.M. Seconded. The motion CARRIED. The fourth session of the Spring Town Meeting adjourned at 10:08 P.M.

A True Copy
ATTEST:

Shirley E. Schult, CMC, CMMC
Town Clerk

# ANNUAL SPRING TOWN MEETING
# MAY 3, 1994

### MAURICE A. BUCK MEMORIAL AUDITORIUM
### FIFTH SESSION - MAY 19, 1994

A quorum count was taken. with one hundred thirty-four (134) Town Meeting Members present, the fifth session of the annual Town Meeting was declared in session at 7:47 P.M.

Rep. Delorey moved that the following resolution be passed by the Town Meeting:

"Be it resolved that the Representatives of the 1994 Spring Town Meeting voted to request that the Town Administrator prepare and formulate the budget for Fiscal Year 1996 in order to eliminate the need for the passage of any article similar to Article 3 of the 1994 Spring Town Meeting."

Seconded.

With seventy-seven (77) in favor and forty-four (44) opposed, the resolution CARRIED.

**ARTICLE 26:**

Selectman Krau moved that the Town establish a revolving fund under the provisions of Mass. General Laws, Chapter 44, Section 53E 1/2 for use by the Merrimack Valley Dive Rescue Team, a Division of Billerica Emergency Management Agency. Appropriation shall be expended to help provide for the operation, equipping, training and maintenance of the team. Funds to be secured through donations, fund raisers, insurance payments, grants and stipends. Seconded.

Finance Committee concurred.

It was moved, seconded and VOTED to allow the member of the Dive Rescue Team forward.

Thomas Greenhalgh, member and leader of the Merrimack Valley Dive Rescue Team made a slide presentation on the work of the Team and explained the intent of the article. This article must be passed in order to allow the Team to accept donations, insurance monies etc. to fund the team. Passage of this article does not involve any money.

The motion as presented CARRIED unanimously.

**ARTICLE 21:**

Selectman Krau moved that the Town raise and appropriate the sum of $6,660.00 to fund the Police Department Detail Revolving Account. Seconded.

Finance Committee did not recommend the article as written in the warrant. They have not had an opportunity to take a vote on the article as presented tonight.

Rep. DeSimone moved to amend the article to read "raise and appropriate $6,660.00 to place into the Police Detail Revolving Account in order to pay police officers for past worked details". Seconded.

Discussion ensued when Rep. Moreira moved the question. Seconded.

The motion to end debate CARRIED.

The amendment presented by Rep. DeSimone CARRIED.

It was moved and seconded to reconsider Article 21. With two (2) in favor and one hundred (100) opposed, the motion to reconsider LOST.

**ARTICLE 22.**

Selectman Hurd moved to dismiss Article 22. Seconded.

Finance Committee concurred.

The motion to dismiss CARRIED.

**ARTICLE 23:**

Selectman Hurd moved to dismiss Article 23. Seconded.

Finance Committee concurred.

The motion to dismiss CARRIED.

**ARTICLE 24:**

Selectman Hurd moved to adopt the provisions of Mass. General Laws, Chapter 40, Section 42A through 42F - Collection of Water Rates - Method of Collection; Lien for delinquent charges. Seconded.

Finance Committee concurred.

The motion CARRIED unanimously.

**ARTICLE 25:**

Selectman Hurd moved that the Town establish a revolving account for the Cross Connection/Backflow Prevention Program; said revolving account not to exceed the amount of $100,000.00 This account would be established under the provisions of Mass. General Laws, Chapter 44, Section 53E 1/2 for the receipt of payments of fees collected for inspection and testing services performed by the Town of its' agent (s); and for the disbursement payment for services by private contractor (s) in connection with the administration of the program.

Seconded.

Finance Committee concurred.

Questions were raised relative to the $100,000.00 cap and also the number of inspections that would occur. Town Administrator Mercier and Public Works Administrator Bento both indicated that the $100,000.00 cap would fund the department each year and that any change in that cap would have to come before Town Meeting for a vote. Mr. Bento also stated that one of the Town Employees is a state certified inspector and will be overseeing the inspections of these devices.

Rep. Flynn moved the question. Seconded. The motion to end debate CARRIED unanimously.

The motion as presented CARRIED.

Rep. Bonnell moved Article 28 before Article 27. Seconded. The motion CARRIED.

**ARTICLE 28:**

Rep. Bonnell moved that the town adopt the following General By-Law establishing a Mapping Commission as authorized by Mass. General Laws, Chapter 40, Section 8K.

**Article 22 - Mapping Commission**

The purpose of this commission is for the developing or coordinating the development of comprehensive maps of the town, including, but not limited to, parcel boundaries, location of utilities lines, pipelines, and other structures, land use or items of geographic or geological interest.

The mapping commission shall consist of seven members. The members shall be appointed by the Town Administrator, subject to the approval of the Board of Selectmen for terms of five years each, so arranged that as nearly an equal number of such terms of office as is possible shall expire each year.

The mapping commission shall: (1) develop and administer programs relating to such mapping of the community; (2) advise, assist and cooperate with state, regional and federal agencies in developing appropriate programs and policies relating to such mapping; (3) apply for, receive, expend, represent and act on behalf of the town in connection with federal grants, grant programs or reimbursements or private grants; (4) accept gifts, grants, bequests and devises from any source, whether public or private, for the purpose of assisting the authority in the discharge of its duties; (5) seek to coordinate the activities of governmental and private bodies organized for similar purposes. Said commission shall seek to coordinate all mapping efforts in the town in order that duplicative efforts be minimized. The mapping commission may offer for sale any products of its efforts, including maps, reports or other materials. Seconded.

Finance Committee concurred.

Rep. Hoar moved to amend the article by changing the term of office from five (5) to three (3)years. Seconded. The motion CARRIED.

The main motion with the amendment attached thereto CARRIED.

It was moved and seconded to reconsider Article 28. The motion CARRIED.

Rep. Bonnell moved the main motion that had been presented with the amendment attached thereto. Seconded. The motion CARRIED.

**ARTICLE 27:**

Rep. Bonnell moved to dissolve the Map Committee which was established at the Annual Town Meeting of 1959. Seconded.

Finance Committee concurred.

The motion CARRIED unanimously.

**ARTICLE 29:**

Rep. Cavicchio moved to establish a Civic and Convention Center Commission consisting of five members pursuant to the provisions of Section 5 of Chapter 486 of the Acts of 1980. Seconded.

Finance Committee concurred.

State Rep. Greene explained the article.

The motion as presented CARRIED unanimously.

**ARTICLE 30:**

It was moved, seconded and VOTED that Article 30 be the first order of business on Tuesday, May 24th.

**ARTICLE 31:**

Selectman Hurd moved that the Town authorize the Board of Selectmen to file legislation to exempt the position of Town Accountant from the provisions of Mass. General Laws, Chapter 31, Civil Service. Seconded.

Finance Committee concurred.

With one hundred sixteen(116) voting in favor and seven (7) opposed, the motion CARRIED.

**ARTICLE 32:**

Selectman Hurd moved that the town instruct our representative to the General Court to support the Mass. Municipal Association Revenue Sharing Plan to provide an adequate and secure source of funds to support local services by dedicating a portion of state tax revenues and lottery proceedings to fund the new Chapter 70 school aid schedule, a general revenue sharing distribution which includes a five-year phase-out of the current lottery division, and a gas tax distribution. Seconded.

Finance Committee concurred.

The motion as presented CARRIED unanimously.

**ARTICLE 33:**

Selectman Hurd moved that the Town instruct its representatives to the General Court to support the amendments to the new school finance law prepared by the Mass. Municipal Association for the purpose of reducing the intrusion of the state into local budget and taxation matters; restoring a measure of accountability of local school districts to local voters and providing cities and towns with additional flexibility in budgeting local services. Seconded.

The Finance Committee concurred.

The motion as presented CARRIED unanimously.

**ARTICLE 34:**

Selectman Hurd moved that the Town instruct our representatives to the General Court to support the position of the Mass. Municipal Association in favor of full funding of the Cherry Sheet Highway Aid Accounts, Chapter 81 and Chapter 90, as well as the swift passage of the Transportation Bond Bill, H. 1033, in order to ensure a fair and predictable share of funds for distribution to cities and town for use on local roads. Seconded.

Finance Committee concurred.

Rep. Tracey questioned the Town's use of Chapter 81 funds.

The motion as presented CARRIED unanimously.

**ARTICLE 35:**

Rep. Hoar moved to dismiss Article 35. Seconded.

Finance Committee concurred.

The motion to dismiss Article 35 CARRIED.

**ARTICLE 36:**

Historic District Commission Chairman Young moved that the Town create an Historic District in East Billerica to be called the Richardson's Mill Historic District to be governed by the Town's existing Historic District By-Laws. The boundaries shall be those shown on the map on file in the Town Clerk's Office and containing some or all of approximately twelve (12) properties. Seconded.

The Finance Committee concurred.

Chairman Young gave the report of the public hearing.

Questions were raised on the effect that passage of this article wold have on the repair of the Gray Street Bridge. Chairman Young cited a 1992 letter from the Mass Historical Commission stating that the bridge did not meet the National Register eligibility criteria in 1980 and also an article which appeared in the "Billerica Minuteman."

Selectman Krau moved to make these two documents part of the minutes of the meeting. Seconded. The motion CARRIED.

September 10, 1992

Michael W. Swanson, P.E.
Chief Engineer
Massachusetts Highway Department
Ten Park Plaza
Boston, MA 02116
Attn: Cultural Resources Division

Re: Gray Street Bridge over B & M Railroad (No. B-12-12), Billerica, MA

Dear Mr. Swanson:

It has come to the attention of the Massachusetts Historical Commission that the Massachusetts Highway Department is proposing the replacement of the Gray Street Bridge over the B & M Railroad in Billerica. A review of MHC'S files indicates that the Massachusetts Department of Public Works determined the bridge did not meet National Register eligibility criteria in 1980. The MHC concurred with that determination.

A review of MHC files indicates that the bridge is located within the Richardson's Mill area of East Billerica. The area, surveyed in 1973, is included in the Inventory of Historic Assets of the Commonwealth (Area 292), and may be eligible for inclusion in the National Register of Historic Places.

The MHC requests the opportunity to consult with the MHD early in the planning stages of the proposed project to assure that impacts to significant historic, architectural and archaeological resources are considered.

Thank you for your attention to this matter. If you have any questions, please feel free to contact me.

Sincerely,
S/Maureen A. Cavanaugh
Director of Architectural Review

cc: Billerica Historical Commission
Billerica Planning Department

Massachusetts Historical Commission
Judith B. McDonough, Executive Director,
State Preservation Officer
80 Boylston Street, Boston, Massachusetts 02116
Office of the Secretary of State, Michael J. Connolly, Secretary

**"Billerica Minuteman" - Thursday, Jan. 6, 1994**
**Letter to the Editor**
**Bridge replacement not in jeopardy**

I am writing on behalf of the Massachusetts Historical Commission with regard to a recent article you wrote for the "Billerica Minuteman" on Oct. 28th entitled, "Historic area must wait for OK" The connotation of sections of the article unfortunately cause readers to wonder if local historic district designation of the Richardson's Mill neighborhood, which is eligible for listing on the National Register of Historic Places, would block the replacement of the Gray Street Bridge. One source you interviewed tried to explain that the 'bylaw of an historic district would not preclude any repairs or rebuilding of the bridge," which is correct in this instance. However, there are other sources questioning that the opposite might happen.

Please be aware that MHC has already concurred (Aug. 9, 1993) with the Massachusetts Highway Department (MHD) had no adverse effect on the character of the Richardson's Mill area would occur due to the proposed replacement bridge. The Gray Street Bridge itself has been determined "not eligible" for listing in the National Register by the MHC, and is not a contributing resource in the Richardson"s Mill area. The MHC's review of the replacement plans for the Gray Street Bridge to determine its effects on the National Register-eligible Richard's Mill area was triggered by the use of federal funds for this project. Designation of the area by the Town of Billerica as a local historic district will not jeopardize state funding of the bridge replacement project, but simply seek to assure that through consultation with the MHC the use of state funds in the project will not adversely impact the character of the Richardson's Mill area.

To conclude, I hope this information has been helpful to you and if you require any further information, please don't hesitate to call me.

Leslie Sampou
Public Information Coordinator, MHC

Rep. Lasky moved the question. Seconded. The motion to end debate on Article 36 CARRIED unanimously.

The main motion as presented CARRIED unanimously.

Approved by the Atty. General July 14, 1994.

**ARTICLE 37:**

Rep. Hoar moved that the Town establish a study committee consisting of eleven (11) members. The purpose of this committee shall be to study the feasibility of creating a water and sewer district for the purpose of full

operation and maintenance of the Town's water and sewer utilities. The study committee shall consist of one member of each Town Precinct who shall be elected by the Town Meeting Representatives of each respective precinct, for the total of ten members and one member shall be appointed by the Board of Selectmen. The Selectman appointee shall serve as chairman of this committee. This committee shall report its findings and recommendations to the Town Meeting no later than January 31, 1995. Seconded.

The Finance Committee concurred with the following amendment: delete the words "The Selectman appointee shall serve as chairman of this committee." Seconded.

Selectman Krau moved to amend the last sentence to read "the committee shall report its findings at the Fall, 1995 Town Meeting and if accepted, to go on the 1996 Town ballot. Seconded.

Rep. Reil moved the question. Seconded. The motion to end debate CARRIED unanimously.

The amendment offered by the Finance Committee CARRIED.

The amendment to change the reporting date to the Fall 1995 Town Meeting LOST.

The motion as presented with amendment attached thereto was put to a rising vote. With ninety-six (96) voting in favor and twenty-five (25) opposed, the motion CARRIED.

Rep. McDowell moved to reconsider Article 37. Seconded. The motion to reconsider LOST.

Rep. Moreira moved that the time constraint on Article 6, the Administrators' Contract, be suspended to allow it to be voted upon at next Tuesday's meeting. Seconded. It was noted that if the time requirement was not suspended, a Special Town Meeting would have to be called to act upon this contract.

The motion to suspend the rules CARRIED unanimously.

Rep. Brainerd moved to adjourn until Tuesday, May 24th at 7:30 P.M. Seconded. The motion to adjourn CARRIED.

The fifth session of the Annual Spring Town Meeting adjourned at 10:25 P.M.

A True Copy
ATTEST

Shirley E. Schult, CMC, CMMC
Town Clerk

# ANNUAL SPRING TOWN MEETING
# MAY 3, 1994

### MAURICE A. BUCK MEMORIAL AUDITORIUM
### SIXTH SESSION - MAY 24, 1994

Prior to the start of Town Meeting, Precinct caucuses were held and the following persons were elected to serve on the Water and Sewer District Study Committee:

| | |
|---|---|
| Precinct 1: | Barbara Norman |
| Precinct 2: | Bradford O'Neil |
| Precinct 3: | Lawrence Norman |
| Precinct 4: | Gene Dundey |
| Precinct 5: | Lilli M. Ralston |
| Precinct 6: | Malcolm McDowell |
| Precinct 7: | David F. Delorey, Jr. |
| Precinct 8: | Bernard Hoar |
| Precinct 9: | Elaine T. Horlink |
| Precinct 10: | Christopher Blake |

A quorum count was taken. With one hundred thirty-nine (139) Town Meeting Members present, the meeting was declared in session at 7:48 P.M.

A moment of silence was observed in memory of former First Lady Jacqueline Kennedy Onasis who succumbed to cancer on May 19, 1994.

**ARTICLE 30:**

Rep. Luttrell moved that the Town petition the General Court of the Commonwealth to exempt Paul Gallagher from the age requirement of Civil Service. Seconded.

The Finance Committee recommended the article with the following amendment: to add at the end of the main motion the words "providing this process is legal". Seconded.

The motion of the amendment CARRIED.

The main motion with the amendment attached thereto CARRIED unanimously.

It was moved and seconded to reconsider Article 30. With three(3) in favor and one hundred thirty-six (136) opposed, the motion to reconsider LOST.

Rep. Tracey moved that Article 45 be brought forward. Seconded. The motion CARRIED unanimously.

**ARTICLE 45:**

Selectman Doyle moved to dismiss Article 45 without prejudice. Seconded.

The Finance Committee concurred.

The Motion CARRIED unanimously.

**ARTICLE 39:**

Selectman Hurd moved to authorize the Board of Selectmen to accept a parcel of land located on the east side of Boston Road. Assessor's Map 31, Plate 12. Said parcel to be used for municipal purposes. Seconded.

Finance Committee concurred.

Town Administrator Mercier explained that this parcel is situated northerly of the present Concord River Bridge and adjacent to the water treatment facility. It is currently owned by the Wagner family. This parcel could be beneficial to the Town when considering an alternative source of power for the treatment plant should the decision be made to bring the electricity under the river.

Slight discussion ensued. Rep. Dampolo moved the question. Seconded. With one hundred forty-four (144) voting in favor of and two (2) opposed, debate was cut off.

The motion as presented CARRIED.

Selectman Krau moved to bring Article 41 forward. Seconded. The motion CARRIED.

**ARTICLE 41:**

Selectman Krau moved to amend the Zoning By-Laws by adding a section to allow temporary signs by non profit organizations as printed in the warrant with the following changes (scribner's errors):

Paragraph 1 - insert "public" between "over" and "right-of-way"
Paragraph 3 - insert "charitable" between "profit" and "organization" and between "one" and "half" insert "temporary sandwich sign, three and one"

Seconded.

Finance Committee concurred.

Planning Board Chairman Bossi gave the report of the public hearing held on April 25, 1994. Due notice was given in the "Billerica Minuteman" on March 31, and April 7, 1994. With seven (7) members present, it was voted six (6) in favor and one (1) abstention to recommend this amendment. The Board concluded that this article would allow non-profit organizations temporary signs under controlled guidelines.

Rep. MacDonald moved to amend Section 3 by deleting the words "each time period" and replacing them with "each year". Seconded.

Much discussion ensued, when it was moved, seconded and VOTED unanimously to end debate.

The amendment to strike "each time period. LOST.

Rep. Luttrell moved the question. Seconded. With one hundred twenty-seven (127) voting in favor and eight (8) opposed, the motion to end debate CARRIED.

The main motion was put to a rising vote. With twenty-six (26) voting in favor and one hundred three (103) opposed, the motion LOST.

**ARTICLE 40:**

Selectman Krau moved to dismiss Article 40. Seconded.

The Finance Committee concurred.

The motion to dismiss CARRIED.

**ARTICLE 42:**

Rep. Bossi moved to amend Section 6.1.1.A and 6.1.1.B of the Zoning By-Law to read:

A. Such earth migration per lot with a building permit issued by the Building Inspector of up to five hundred cubic yards, or thirty truckloads, whichever is smaller, as certified by a registered professional engineer or certified professional surveyor and the contractor transporting the fill, or

B. Such earth migration per lot may be authorized in any zoning district by a special permit issued by the SPGA for quantities in excess of five hundred cubic yards, or thirty truckloads, whichever is smaller, as certified by a registered professional engineer or certified professional surveyor and the contractor transporting the fill.

Seconded.

Planning Board Chairman Bossi gave the report of the public hearing held April 25, 1994. Due notice was given in the "Billerica Minuteman" on March 31, and April 7, 1994. The Board with seven (7) members present, voted seven (7) in favor of this amendment. This law will help enforce earth migration by requiring certification of volumes by a certified professional engineer or surveyor and the contractor.

Finance Committee concurred.

Rep. Noonan moved to amend the article by inserting the word "civil" between "registered professional" and "engineer" in both paragraph A and B. Seconded. This amendment CARRIED.

The main motion with the amendment attached thereto was put to a vote. With one hundred thirty-nine (139) voting in favor and one (1) opposed, the motion CARRIED.

Approved by the Atty. General July 14, 1994

**ARTICLE 43:**

Rep. Bossi moved to amend the Zoning By-Laws, Section 5.7.4.M by rescinding its previous vote last year, specifically by deleting the current Section 5.7.4.M which changed newly authorized In-Law apartments as a matter of right, and replacing it with the former Section 5.7.4.M that previously authorized In-Law apartments only by special permit as follows:

5.7.4.M. In Residential Districts, an In-Law apartment may be authorized by the SPGA by special permit for an accessory use to a dwelling consisting of separate living quarters not exceeding eight hundred (800) square feet in the same building as the principle use dwelling with occupancy of no more than two related persons, with sufficient off-street parking and the building must retain its characteristically one-family appearance, and provided further that such accessory use shall cease forthwith upon the premises being vacated by the aforementioned related persons.

Seconded.

Finance Committee concurred.

Planning Board Chairman Bossi gave the report of the public hearing held April 25, 1994. Due notice was given in the "Billerica Minuteman: on March 31, and April 7, 1994. With seven member present, it was voted four (4) in favor and three (3) opposed to this amendment.

This amendment will require that all in-law apartments be by special permit only and will assist in regulating these units.

The motion as presented was put to a rising vote. With one hundred eleven (111) voting in favor and twenty-four (24) opposed, the motion CARRIED.

It was moved and seconded to reconsider Article 43. With twelve (12) voting in favor and one hundred four (104) opposed, the motion to reconsider LOST.

Approved by the Atty. General July 14, 1994

**ARTICLE 44:**

Rep. Delorey moved to amend the Billerica Zoning By-Laws, Section 9.2 by adding a second paragraph to read as follows:

Lots proposed to be reduced in area below the minimum area requirements stated in Section 9.4 of this by-law have been determined by the town to be a substantial detriment to the public good and a substantial derogation from the intent and purpose of this by-law. Seconded.

The Finance Committee concurred.

Planning Board Chairman Bossi gave the report of the public hearing held April 25, 1994. Due notice was given in the "Billerica Minuteman" on March 31, and April 7,1994. With seven (7) members present, it was voted two (2) in favor and five (5) opposed to this amendment. This amendment would take authority away from the Board of Appeals and give it to Town Meeting.

Rep. Delorey gave a presentation.

Much discussion ensued. Rep. Luttrell moved the question. Seconded. The motion to end debate CARRIED unanimously.

The motion as presented was put to a rising vote. With sixty-four (64) in favor and seventy-four (74) opposed, the motion LOST.

Moved and seconded to reconsider Article 44.

Rep. Fraine moved the question. Seconded. The motion to end debate CARRIED unanimously.

With eight-eight (88) voting in favor and fifty-seven (57) opposed, the motion to reconsider Article 44 LOST.

**ARTICLE 46:**

Rep. Bossi moved to dismiss Article 46. Seconded.

Finance Committee concurred.

The motion to dismiss CARRIED.

**ARTICLE 47:**

Rep. Rawlings moved to amend the Zoning By-Laws and Zoning Map by rezoning from a General Business District to a Rural Residence District, the whole or any part of land owned by James E. Neagle III and Dawn E. Neagle on 225 Andover Road, bounded and described as printed in the warrant. Seconded.

The Finance Committee concurred.

Planning Board Chairman Bossi gave the report of the public hearing held February 28, 1994. Due notice was given in the "Billerica Minuteman" on February 10, and February 17, 1994. The Board, with six (6) members present, voted six (6) in favor of this amendment. The property in question is developed with a single-family home. The split zoning clouds the lot's status. Rezoning to residential will clear up this situation and also prevent business for being established at this location.

There being no discussion, the motion as presented CARRIED unanimously.

Approved by the Atty. General July 14, 1994

**ARTICLE 12:**

Selectman Hurd moved that the Town allow the Board of Selectmen to jointly participate with State agencies in the purchase of 31+ acres of land in Billerica consistent with the requirements of M.G.L. 132A, Section 11A and M.G.L. Chapter 61A and to do or act in any manner in relation thereto. Seconded.

Finance Committee had no recommendation.

Rep. Griggs moved to amend the article as follows: "That the Town Meeting Members vote in favor of the intent of this article and that it be brought before the Town Meeting in the fall." Seconded.

Rep. Newman moved to cut off debate. Seconded. With one hundred thirteen (113) voting in favor and sixteen (16) opposed, the motion to cut off debate CARRIED.

The amendment as presented by Mr. Griggs CARRIED.

**ARTICLE 6:**

Selectmen Hurd moved to raise and appropriate the sum of $67,702.00 to fund the Collective Bargaining Agreement between the Town of Billerica and the Billerica Professional Administrators Association Local 254. Seconded.

The Finance Committee voted five (5) in favor and six (6) opposed to this article and did not recommend this article.

Town Administrator Mercier explained the article and recommended that this be voted. The Selectman voted four (4) in favor and one (1) opposed to the funding of this contract.

Selectman Cangiamila gave a minority report.

Much discussion ensued.

Rep. Lutrell moved the question. Seconded. With one hundred sixteen (116) voting in favor and nineteen(19) opposed, the motion to end debate CARRIED.

The motion as presented was put to a rising vote. With eighty-three (83) voting in favor and sixty (60) opposed, the motion CARRIED.

Moved and seconded to reconsider Article 6. With twenty-three (23) voting in favor and eight-nine (89) opposed, the motion to reconsider LOST.

Rep. Smith moved that the Annual Spring Town Meeting be adjourned. Seconded. The motion CARRIED. The Annual Spring Town Meeting was declared dissolved at 10:38 P.M.

A True Copy
ATTEST:

Shirley E. Schult, CMC, CMMC
Town Clerk

# COMMONWEALTH OF MASSACHUSETTS
# MICHAEL JOSEPH CONNOLLY, SECRETARY
# WARRANT FOR STATE PRIMARY

SS

To either of the Constables of the Town of Billerica:
Greetings:

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in Elections to vote at:

| | |
|---|---|
| Precinct 1 & 6 | Parker School, River Street |
| Precinct 2 & 8 | Hajjar School, Rogers Street |
| Precinct 3 & 9 | Ditson School, Boston Road |
| Precinct 4 & 7 | Vining School, Lexington Road |
| Precinct 5 & 10 | Kennedy School, Kimbrough Road |

On TUESDAY, THE TWENTIETH DAY OF SEPTEMBER, 1994 from 7:00 A.M. to 8:00 P.M. for the following purposes:

To cast their votes in the State Primary for the candidates of Political parties for the following offices:

| | |
|---|---|
| U.S. SENATOR | FOR THE COMMONWEALTH |
| GOVERNOR | FOR THE COMMONWEALTH |
| LT. GOVERNOR | FOR THE COMMONWEALTH |
| ATTORNEY GENERAL | FOR THE COMMONWEALTH |
| SECRETARY | FOR THE COMMONWEALTH |
| TREASURER | FOR THE COMMONWEALTH |
| AUDITOR | FOR THE COMMONWEALTH |
| REPRESENTATIVE IN CONGRESS | FIFTH CONGRESSIONAL DISTRICT |
| COUNCILLOR | SIXTH COUNCILLOR DISTRICT |
| SENATOR IN GENERAL COURT | FOURTH MIDDLESEX SENATORIAL DISTRICT |
| REPRESENTATIVE IN GENERAL COURT | TWENTY-FOURTH MIDDLESEX REPRESENTATIVE DISTRICT |
| DISTRICT ATTORNEY | NORTHERN DISTRICT |
| CLERK OF COURTS | MIDDLESEX COUNTY |
| REGISTER OF DEEDS | MIDDLESEX NORTHERN DISTRICT |
| COUNTY COMMISSIONER | MIDDLESEX COUNTY |

Given under our hands this first day of August, 1994.

S/Ralph M. Krau
S/Edward J. Hurd
S/Brion M. Cangiamila
S/Arthur L. Doyle
S/James F. O'Donnell, Jr.
SELECTMEN OF BILLERICA

And you are hereby directed to serve this Warrant by posting true and attested copies thereof, one copy at the East Billerica Fire Station; one copy at the Ninety-Nine Restaurant, Lexington Road; one copy at the Pizza Hut, Boston Road; one copy at the Nutting Lake Post Office; one copy at the North Billerica Post Office; one copy at Jim's Automotive/Fahey's Gulf Station, Nashua Road; one copy at the Center Post Office, Boston Road; one copy at the Pinehurst Fire Station; one copy at the North Billerica Fire Station; one copy at the Town Hall; one copy at the Billerica Public Library and one copy at the Fleet Bank, Boston Road.

All copies to be posted seven (7) days before the Primary.

A True Copy
ATTEST:

S/David Lasky
Constable in the Town of Billerica
September 9, 1994

September 9, 1994

Shirley E. Schult, CMC
Town Clerk
Town Hall
Billerica, MA 01821

Dear Mrs. Schult:

I have posted the WARRANT for the STATE PRIMARY to be held on Tuesday, September 20, 1994 at the following locations:

East Billerica Fire Station
Ninety-Nine Restaurant, Lexington Road
Pizza Hut, Boston Road
Nutting Lake Post Office
North Billerica Post Office
Jim's Automotive/Fahey's Gulf Station, Nashua Road
Fleet Bank, Boston Road
Center Post Office, Boston Road
Pinehurst Fire Station
North Billerica Fire Station
Town Hall
Billerica Public Library

Signed:
S/David Lasky
Constable, Town of Billerica

# STATE PRIMARY - SEPTEMBER 20, 1994
# PRECINCT WORKERS

**PRECINCT 1**

| | |
|---|---|
| Warden | D-Catherine M. Houlne |
| Clerk | R-Paula C. Baldwin |
| Deputy Warden | U-Dianne S. Bone |
| Deputy Clerk | R-Donna Jean McCoy |
| Inspector | R-Lillie M. Ralston |
| Inspector | D-Joan M. Staton |
| Deputy Inspector | U-Ilona Wronski |
| Deputy Inspector | R-Iris R. Greenleaf |

**PRECINCT 2**

| | |
|---|---|
| Warden | D-June F. DePinto |
| Clerk | R-Mary I. True |
| Deputy Warden | D-Georgiana A. Menezes |
| Deputy Clerk | R-Susan S. Gee |
| Inspector | U-Sandra Crandall |
| Inspector | R-John C.Gherson |
| Deputy Inspector | D-Estelle M. McCarthy |
| Deputy Inspector | U-June M. Barbour |

**PRECINCT 3**

| | |
|---|---|
| Warden | R-Barbara A. Roberts |
| Clerk | D-Sandra M. Matthews |
| Deputy Warden | R-Shirley J. Gullage |
| Deputy Clerk | D-Karen Farmer |
| Inspector | U-Carol A. Ryan |
| Inspector | D-Ralph Morrison |
| Deputy Inspector | R-Edna G. McDewell |
| Deputy Inspector | D-Ellen D. Rawlings |

**PRECINCT 4**

| | |
|---|---|
| Warden | D-Dorothy M. Ryan |
| Clerk | R-Mary A. Overy |
| Deputy Warden | D-Barbara A. Flynn |
| Deputy Clerk | R-Alan Wright |
| Inspector | U-Eleanor A. Sievert |
| Inspector | D-Doris R. Hanson |
| Deputy Inspector | D-Emma R. Columbus |
| Deputy Inspector | R-Peter R. Woodbury |

**PRECINCT 5**

| | |
|---|---|
| Warden | D-Audrey M. Rose |
| Clerk | R-Margaret M. Hamilton |
| Deputy Warden | U-Karen A. Warren |
| Deputy Clerk | R-Genevieve Finlayson |
| Inspector | D-Mary Bourque |
| Inspector | U-Mary A. Wilson |
| Deputy Inspector | D-Marie O'Rourke |
| Deputy Inspector | I-Patricia Hefler |

**PRECINCT 6**

| | |
|---|---|
| Warden | D-Anita Gass |
| Clerk | R-Yoshiko A. Wright |
| Deputy Warden | U-Pauline M. Lloyd |
| Deputy Clerk | R-Catherine A. Lawson |
| Inspector | R-Barbara Woodbury |
| Inspector | D-Bernard A. McDewell |
| Deputy Inspector | I-Lee A. Sullivan |
| Deputy Inspector | U-Jody Farmer |

**PRECINCT 7**

| | |
|---|---|
| Warden | R-Rachel L. Goding |
| Clerk | U-Dorothy P. McDewell |
| Deputy Warden | R-Dorothy L. Pearson |
| Deputy Clerk | D-Donald J. Ryan |
| Inspector | D-Angela DeMeo |
| Inspector | D-Margaret Palasek |
| Deputy Inspector | R-Nancy Emus |
| Deputy Inspector | D-James Haines |

**PRECINCT 8**

| | |
|---|---|
| Warden | D-Joanne Costedio |
| Clerk | R-Marion E. Potter |
| Deputy Warden | D-Catherine J. Mullen |
| Deputy Clerk | R-Margaret B. Ingraham |
| Inspector | R-Agnes Wain |
| Inspector | D-Elda Medeiros |
| Deputy Inspector | D-Patricia Gualtieri |
| Deputy Inspector | D-Leo A.Benjamin, Jr. |

**PRECINCT 9**

| | |
|---|---|
| Warden | D-Lorraine P. Balboni |
| Clerk | U-Jean Roach |
| Deputy Warden | D-Jean M. Sarno |
| Deputy Clerk | R-Bessie M. Bacon |
| Inspector | D-Nancy L. Desmond |
| Inspector | R-M. Eileen Cotter |
| Deputy Inspector | D-Mary J. Sarno |
| Deputy Inspector | R-Barbara Bailey |

**PRECINCT 10**

| | |
|---|---|
| Warden | R-Barbara Reinecker |
| Clerk | D-Alice A. Haines |
| Deputy Warden | U-James V. Hoyt, Jr. |
| Deputy Clerk | D-Barbara G. Norman |
| Inspector | D-Delores Ballou |
| Inspector | R-Earle Merrow |
| Deputy Inspector | D-Margaret De Pietro |
| Deputy Inspector | U-Joan MacMillan |

# STATE PRIMARY - SEPTEMBER 20, 1994
# BILLERICA, MASSACHUSETTS

## DEMOCRATIC PARTY

| | Pr. 1 | Pr. 2 | Pr. 3 | Pr. 4 | Pr. 5 | Pr. 6 | Pr. 7 | Pr. 8 | Pr. 9 | Pr. 10 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **SENATOR IN CONGRESS (Vote - 1)** | | | | | | | | | | | |
| Edward M. Kennedy | 172 | 216 | 173 | 119 | 148 | 143 | 150 | 182 | 168 | 187 | 1,658 |
| Scatterings | 6 | 5 | 1 | 4 | 12 | 9 | 11 | 4 | 7 | 3 | 62 |
| Blanks | 70 | 86 | 69 | 49 | 53 | 57 | 70 | 52 | 76 | 69 | 651 |
| Total | 248 | 307 | 243 | 172 | 213 | 209 | 231 | 238 | 251 | 259 | 2,371 |
| **GOVERNOR (Vote - 1)** | | | | | | | | | | | |
| George A. Bachrach | 48 | 79 | 57 | 50 | 49 | 43 | 58 | 63 | 59 | 59 | 565 |
| Michael J. Barrett | 58 | 79 | 60 | 28 | 49 | 41 | 56 | 50 | 60 | 56 | 537 |
| Mark Roosevelt | 112 | 111 | 97 | 71 | 80 | 82 | 74 | 99 | 89 | 100 | 915 |
| Scatterings | 1 | 2 | | 3 | 3 | 2 | 2 | 2 | 3 | 2 | 20 |
| Blanks | 29 | 36 | 29 | 20 | 32 | 41 | 41 | 24 | 40 | 42 | 334 |
| Total | 248 | 307 | 243 | 172 | 213 | 209 | 231 | 238 | 251 | 259 | 2,371 |
| **LIEUTENANT GOVERNOR (Vote - 1)** | | | | | | | | | | | |
| Marc D. Draisen | 68 | 109 | 92 | 51 | 57 | 68 | 57 | 87 | 61 | 70 | 720 |
| Robert K. Massie | 118 | 134 | 102 | 75 | 97 | 87 | 104 | 104 | 130 | 117 | 1,068 |
| Scatterings | | 1 | | 1 | | 1 | | | 3 | | 6 |
| Blanks | 62 | 63 | 49 | 45 | 59 | 53 | 70 | 47 | 57 | 72 | 577 |
| Total | 248 | 307 | 243 | 172 | 213 | 209 | 231 | 238 | 251 | 259 | 2,371 |
| **ATTORNEY GENERAL (Vote - 1)** | | | | | | | | | | | |
| L. Scott Harshbarger | 189 | 238 | 196 | 127 | 165 | 157 | 175 | 193 | 201 | 197 | 1,838 |
| Scatterings | | | 1 | | 4 | 1 | | | 2 | 1 | 9 |
| Blanks | 59 | 69 | 46 | 45 | 44 | 51 | 56 | 45 | 48 | 61 | 524 |
| Total | 248 | 307 | 243 | 172 | 213 | 209 | 231 | 238 | 251 | 259 | 2,371 |
| **SECRETARY OF STATE (Vote - 1)** | | | | | | | | | | | |
| William F. Galvin | 89 | 140 | 74 | 68 | 58 | 80 | 77 | 101 | 89 | 99 | 875 |
| Augusto F. Grace | 125 | 137 | 143 | 88 | 123 | 96 | 116 | 115 | 138 | 125 | 1,206 |
| Scatterings | | | | | | | | | 1 | | 1 |
| Blanks | 34 | 30 | 26 | 16 | 32 | 33 | 38 | 22 | 23 | 35 | 289 |
| Total | 248 | 307 | 243 | 172 | 213 | 209 | 231 | 238 | 251 | 259 | 2,371 |
| **TREASURER (Vote - 1)** | | | | | | | | | | | |
| Shannon P. O'Brien | 159 | 222 | 175 | 106 | 145 | 135 | 141 | 171 | 177 | 178 | 1,609 |
| Scatterings | | 3 | | | 2 | | | 1 | 1 | | 7 |
| Blanks | 89 | 82 | 68 | 66 | 66 | 74 | 90 | 66 | 73 | 81 | 755 |
| Total | 248 | 307 | 243 | 172 | 213 | 209 | 231 | 238 | 251 | 259 | 2,371 |
| **AUDITOR (Vote - 1)** | | | | | | | | | | | |
| A. Joseph Denucci | 170 | 229 | 187 | 124 | 152 | 146 | 148 | 179 | 185 | 184 | 1,704 |
| Scatterings | | | | | 3 | | | | 1 | | 4 |
| Blanks | 78 | 78 | 56 | 48 | 58 | 63 | 83 | 59 | 65 | 75 | 663 |
| Total | 248 | 307 | 243 | 172 | 213 | 209 | 231 | 238 | 251 | 259 | 2,371 |

| | Pr. 1 | Pr. 2 | Pr. 3 | Pr. 4 | Pr. 5 | Pr. 6 | Pr. 7 | Pr. 8 | Pr. 9 | Pr. 10 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **REPRESENTATIVE IN CONGRESS (Vote - 1)** | | | | | | | | | | | |
| Martin T. Meehan | 162 | 223 | 162 | 111 | 153 | 133 | 157 | 162 | 161 | 184 | 1,608 |
| Thomas J. Quinn | 71 | 77 | 63 | 44 | 45 | 59 | 57 | 54 | 69 | 56 | 595 |
| Scatterings | | | | | | 1 | | 1 | 1 | | 3 |
| Blanks | 15 | 7 | 18 | 17 | 15 | 16 | 17 | 21 | 20 | 19 | 165 |
| Total | 248 | 307 | 243 | 172 | 213 | 209 | 231 | 238 | 251 | 259 | 2,371 |
| **COUNCILLOR (Vote - 1)** | | | | | | | | | | | |
| Dorothy A. Kelly Gay | 120 | 155 | 133 | 83 | 112 | 107 | 109 | 118 | 118 | 122 | 1,177 |
| Joseph G. Labate | 75 | 93 | 72 | 51 | 52 | 58 | 70 | 73 | 91 | 78 | 713 |
| Scatterings | 2 | 1 | | | 1 | | | | 1 | | 5 |
| Blanks | 51 | 58 | 38 | 38 | 48 | 44 | 52 | 47 | 41 | 59 | 476 |
| Total | 248 | 307 | 243 | 172 | 213 | 209 | 231 | 238 | 251 | 259 | 2,371 |
| **SENATOR IN GENERAL COURT (Vote - 1)** | | | | | | | | | | | |
| Robert A. Havern, III | 164 | 209 | 169 | 103 | 135 | 131 | 148 | 167 | 170 | 174 | 1,567 |
| Scatterings | | 3 | | 1 | 4 | 4 | 3 | | 1 | 3 | 19 |
| Blanks | 84 | 98 | 74 | 68 | 74 | 74 | 80 | 71 | 80 | 82 | 785 |
| Total | 248 | 307 | 243 | 172 | 213 | 209 | 231 | 238 | 251 | 259 | 2,371 |
| REPRESENTATIVE IN GENERAL COURT (Vote - 1) | | | | | | | | | | | |
| William G. Greene, Jr. | 192 | 253 | 206 | 130 | 167 | 169 | 189 | 197 | 211 | 209 | 1,923 |
| Scatterings | | 1 | | | 4 | 1 | 1 | | | | 7 |
| Blanks | 56 | 53 | 37 | 42 | 42 | 39 | 41 | 41 | 40 | 50 | 441 |
| Total | 248 | 307 | 243 | 172 | 213 | 209 | 231 | 238 | 251 | 259 | 2,371 |
| DISTRICT ATTORNEY (Vote - 1) | | | | | | | | | | | |
| Thomas F. Reilly | 165 | 227 | 180 | 112 | 143 | 149 | 143 | 175 | 181 | 178 | 1,653 |
| Scatterings | | | | 1 | 2 | | | | 1 | | 4 |
| Blanks | 83 | 80 | 63 | 59 | 68 | 60 | 88 | 63 | 69 | 81 | 714 |
| Total | 248 | 307 | 243 | 172 | 213 | 209 | 231 | 238 | 251 | 259 | 2,371 |
| CLERK OF COURTS (Vote - 1) | | | | | | | | | | | |
| Edward J. Sullivan | 131 | 127 | 132 | 88 | 96 | 105 | 103 | 117 | 127 | 114 | 1,140 |
| James P. Kennedy | 90 | 145 | 85 | 61 | 80 | 68 | 83 | 94 | 96 | 109 | 911 |
| Scatterings | | | | | 1 | 1 | | | 1 | 1 | 4 |
| Blanks | 27 | 35 | 26 | 23 | 36 | 35 | 45 | 27 | 27 | 35 | 316 |
| Total | 248 | 307 | 243 | 172 | 213 | 209 | 231 | 238 | 251 | 259 | 2,371 |
| REGISTER OF DEEDS (Vote - 1) | | | | | | | | | | | |
| Walter J. Flynn | 25 | 26 | 33 | 21 | 15 | 23 | 22 | 16 | 40 | 14 | 235 |
| Richard P. Howe, Jr. | 24 | 25 | 21 | 16 | 12 | 17 | 35 | 22 | 22 | 22 | 216 |
| Patricia A. Kirwin Keilty | 31 | 64 | 33 | 21 | 23 | 24 | 24 | 39 | 32 | 42 | 333 |
| Edward J. Kennedy | 39 | 32 | 38 | 27 | 18 | 30 | 23 | 43 | 37 | 34 | 321 |
| Dennis E. McHugh | 22 | 17 | 13 | 13 | 29 | 28 | 26 | 14 | 23 | 29 | 214 |
| Dennis Scannell | 7 | 3 | 6 | 5 | 12 | 6 | 5 | 4 | 3 | 6 | 57 |
| David A. Shaughnessy | 5 | 6 | 5 | 4 | 4 | 3 | 2 | 2 | 5 | 4 | 40 |
| Frederick L. Simon | 25 | 55 | 21 | 14 | 26 | 15 | 18 | 23 | 24 | 33 | 254 |
| Karin Theodoros | 41 | 51 | 43 | 24 | 46 | 32 | 41 | 35 | 33 | 36 | 382 |
| Scatterings | | | | | | | | 2 | | 2 | 4 |
| Blanks | 29 | 28 | 30 | 27 | 28 | 31 | 35 | 38 | 32 | 37 | 315 |
| Total | 248 | 307 | 243 | 172 | 213 | 209 | 231 | 238 | 251 | 259 | 2,371 |

| | Pr. 1 | Pr. 2 | Pr. 3 | Pr. 4 | Pr. 5 | Pr. 6 | Pr. 7 | Pr. 8 | Pr. 9 | Pr. 10 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **COUNTY COMMISSIONER (Vote - 1)** | | | | | | | | | | | |
| Francis X. Flaherty | 70 | 62 | 81 | 59 | 54 | 45 | 48 | 80 | 73 | 70 | 642 |
| Gerald J. Flynn, Jr. | 117 | 176 | 96 | 62 | 91 | 101 | 107 | 86 | 112 | 117 | 1,065 |
| Douglas E. MacDonald | 12 | 8 | 19 | 6 | 10 | 7 | 10 | 10 | 10 | 10 | 102 |
| John MacGillivray | 17 | 18 | 10 | 10 | 12 | 14 | 24 | 16 | 14 | 14 | 149 |
| Scatterings | | | | | 1 | | | | 1 | | 2 |
| Blanks | 32 | 43 | 37 | 35 | 45 | 42 | 42 | 46 | 41 | 48 | 411 |
| Total | 248 | 307 | 243 | 172 | 213 | 209 | 231 | 238 | 251 | 259 | 2,371 |

## REPUBLICAN PARTY

| | Pr. 1 | Pr. 2 | Pr. 3 | Pr. 4 | Pr. 5 | Pr. 6 | Pr. 7 | Pr. 8 | Pr. 9 | Pr. 10 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **SENATOR IN CONGRESS (Vote - 1)** | | | | | | | | | | | |
| John R. Lakian | 24 | 28 | 39 | 20 | 36 | 24 | 25 | 29 | 28 | 18 | 271 |
| W. Mitt Romney | 98 | 136 | 92 | 145 | 157 | 128 | 135 | 125 | 123 | 135 | 1,274 |
| Scatterings | 2 | | 1 | 1 | 2 | 3 | 3 | 2 | | 1 | 15 |
| Blanks | 13 | 10 | 6 | 6 | 10 | 5 | 5 | 2 | 5 | 8 | 70 |
| Total | 137 | 174 | 138 | 172 | 205 | 160 | 168 | 158 | 156 | 162 | 1,630 |
| **GOVERNOR (Vote - 1)** | | | | | | | | | | | |
| William F. Weld | 118 | 161 | 120 | 154 | 185 | 138 | 149 | 134 | 137 | 145 | 1,441 |
| Scatterings | | | | 1 | | | | | | | 1 |
| Blanks | 19 | 13 | 18 | 17 | 20 | 22 | 19 | 24 | 19 | 17 | 188 |
| Total | 137 | 174 | 138 | 172 | 205 | 160 | 168 | 158 | 156 | 162 | 1,630 |
| **LIEUTENANT GOVERNOR (Vote -1)** | | | | | | | | | | | |
| Argeo Paul Cellucci | 114 | 158 | 114 | 137 | 173 | 130 | 141 | 131 | 133 | 138 | 1,369 |
| Blanks | 23 | 16 | 24 | 35 | 32 | 30 | 27 | 27 | 23 | 24 | 261 |
| Total | 137 | 174 | 138 | 172 | 205 | 160 | 168 | 158 | 156 | 162 | 1,630 |
| **ATTORNEY GENERAL (Vote -1)** | | | | | | | | | | | |
| Janis M. Berry | 81 | 119 | 75 | 90 | 121 | 91 | 107 | 91 | 79 | 105 | 959 |
| Guy A. Carbone | 37 | 33 | 45 | 45 | 52 | 42 | 39 | 42 | 50 | 34 | 420 |
| Scatterings | | | | | 2 | | | | | | 2 |
| Blanks | 19 | 22 | 18 | 37 | 30 | 27 | 22 | 25 | 27 | 22 | 249 |
| Total | 137 | 174 | 138 | 172 | 205 | 160 | 168 | 158 | 156 | 162 | 1,630 |
| **SECRETARY OF STATE (Vote -1)** | | | | | | | | | | | |
| Arthur E. Chase | 65 | 91 | 64 | 66 | 85 | 74 | 78 | 70 | 67 | 68 | 728 |
| Peter V. Forman | 50 | 59 | 45 | 63 | 77 | 56 | 61 | 55 | 52 | 58 | 576 |
| Blanks | 22 | 24 | 29 | 43 | 43 | 30 | 29 | 33 | 37 | 36 | 326 |
| Total | 137 | 174 | 138 | 172 | 205 | 160 | 168 | 158 | 156 | 162 | 1,630 |
| **TREASURER (Vote -1)** | | | | | | | | | | | |
| Joseph Daniel Malone | 108 | 152 | 114 | 140 | 169 | 133 | 149 | 124 | 131 | 135 | 1,355 |
| Scatterings | | 1 | | 2 | | | | | | | 3 |
| Blanks | 29 | 21 | 24 | 30 | 36 | 27 | 19 | 35 | 25 | 27 | 272 |
| Total | 137 | 174 | 138 | 172 | 205 | 160 | 168 | 158 | 156 | 162 | 1,630 |

| | Pr. 1 | Pr. 2 | Pr. 3 | Pr. 4 | Pr. 5 | Pr. 6 | Pr. 7 | Pr. 8 | Pr. 9 | Pr. 10 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **AUDITOR (Vote -1)** | | | | | | | | | | | |
| Forrester A. "Tim" Clark, Jr. | 55 | 72 | 55 | 56 | 65 | 56 | 63 | 67 | 58 | 70 | 617 |
| Earle B. Stroll | 53 | 71 | 52 | 60 | 96 | 63 | 71 | 53 | 56 | 55 | 630 |
| Blanks | 29 | 31 | 31 | 56 | 44 | 41 | 34 | 38 | 42 | 37 | 383 |
| Total | 137 | 174 | 138 | 172 | 205 | 160 | 168 | 158 | 156 | 162 | 1,630 |
| **REPRESENTATIVE IN CONGRESS (Vote -1)** | | | | | | | | | | | |
| David E. Colman | 93 | 124 | 84 | 102 | 135 | 96 | 117 | 105 | 95 | 107 | 1,058 |
| Scatterings | | 2 | 3 | 1 | 2 | 3 | 2 | | 1 | | 14 |
| Blanks | 44 | 48 | 51 | 69 | 68 | 61 | 49 | 53 | 60 | 55 | 558 |
| Total | 137 | 174 | 138 | 172 | 205 | 160 | 168 | 158 | 156 | 162 | 1,630 |
| **COUNCILLOR (Vote -1)** | | | | | | | | | | | |
| Virgil J. Aiello | 85 | 120 | 77 | 97 | 129 | 90 | 109 | 96 | 87 | 98 | 988 |
| Scatterings | | | | | 1 | | | | | | 1 |
| Blanks | 52 | 54 | 61 | 75 | 75 | 70 | 59 | 62 | 69 | 64 | 641 |
| Total | 137 | 174 | 138 | 172 | 205 | 160 | 168 | 158 | 156 | 162 | 1,630 |
| **SENATOR IN GENERAL COURT (Vote -1)** | | | | | | | | | | | |
| Brion Cangiamila | 48 | 53 | 49 | 70 | 114 | 58 | 38 | 56 | 50 | 44 | 580 |
| Scatterings | 1 | 1 | | | 12 | | 1 | 2 | 3 | 1 | 21 |
| Blanks | 88 | 120 | 89 | 102 | 79 | 102 | 129 | 100 | 103 | 117 | 1,029 |
| Total | 137 | 174 | 128 | 172 | 205 | 160 | 168 | 158 | 156 | 162 | 1,630 |
| **REPRESENTATIVE IN GENERAL COURT (Vote -1)** | | | | | | | | | | | |
| Brion Cangiamila | | 1 | 3 | 3 | 3 | 3 | 3 | 1 | 1 | 3 | 21 |
| Scatterings | 3 | 4 | | | 7 | | | 4 | 3 | 2 | 23 |
| Blanks | 134 | 169 | 135 | 169 | 195 | 157 | 165 | 153 | 152 | 157 | 1,586 |
| Total | 137 | 174 | 138 | 172 | 205 | 160 | 168 | 158 | 156 | 162 | 1,630 |
| **DISTRICT ATTORNEY (Vote -1)** | | | | | | | | | | | |
| Scatterings | 1 | 2 | | | 5 | | | 1 | 1 | | 10 |
| Blanks | 136 | 172 | 138 | 172 | 200 | 160 | 168 | 157 | 155 | 162 | 1,620 |
| Total | 137 | 174 | 138 | 172 | 205 | 160 | 168 | 158 | 156 | 162 | 1,630 |
| **CLERK OF COURTS (Vote-1)** | | | | | | | | | | | |
| Scatterings | 3 | 1 | | | 6 | | 3 | 2 | 1 | | 16 |
| Blanks | 134 | 173 | 138 | 172 | 199 | 160 | 165 | 156 | 155 | 162 | 1,614 |
| Total | 137 | 174 | 138 | 172 | 205 | 160 | 168 | 158 | 156 | 162 | 1,630 |
| **REGISTER OF DEEDS (Vote -1)** | | | | | | | | | | | |
| John L. Noonan | 90 | 137 | 89 | 114 | 145 | 97 | 108 | 96 | 101 | 104 | 1,081 |
| Scatterings | 1 | 1 | | | 4 | 2 | 1 | 5 | | | 14 |
| Blanks | 46 | 36 | 49 | 58 | 56 | 61 | 59 | 57 | 55 | 58 | 535 |
| Total | 137 | 174 | 138 | 172 | 205 | 160 | 168 | 158 | 156 | 162 | 1,630 |
| **COUNTY COMMISSIONER (Vote -1)** | | | | | | | | | | | |
| Scatterings | 1 | 1 | | 2 | 7 | 1 | 2 | 3 | 1 | 1 | 19 |
| Blanks | 136 | 173 | 138 | 170 | 198 | 159 | 166 | 155 | 155 | 161 | 1,611 |
| Total | 137 | 174 | 138 | 172 | 205 | 160 | 168 | 158 | 156 | 162 | 1,630 |

## RECOUNT FOR OFFICE OF REGISTER OF DEEDS ON DEMOCRATIC BALLOTS
## RECOUNT HELD OCTOBER 1, 1994

| | Pr. 1 | Pr. 2 | Pr. 3 | Pr. 4 | Pr. 5 | Pr. 6 | Pr. 7 | Pr. 8 | Pr. 9 | Pr. 10 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **REGISTER OF DEEDS (Vote -1)** | | | | | | | | | | | |
| Walter J. Flynn | 26 | 26 | 33 | 21 | 15 | 23 | 22 | 17 | 40 | 14 | 237 |
| Richard P. Howe, Jr. | 24 | 25 | 21 | 15 | 12 | 17 | 35 | 22 | 22 | 22 | 215 |
| Patricia A.K. Keilty | 30 | 64 | 33 | 20 | 23 | 24 | 24 | 40 | 32 | 41 | 331 |
| Edward J. Kennedy | 39 | 32 | 38 | 26 | 19 | 30 | 23 | 43 | 38 | 34 | 322 |
| Dennis E. McHugh | 22 | 17 | 13 | 13 | 28 | 28 | 26 | 13 | 23 | 30 | 213 |
| Dennis Scannell | 7 | 3 | 6 | 5 | 12 | 6 | 5 | 5 | 3 | 7 | 59 |
| David A. Shaughnessy | 5 | 6 | 5 | 4 | 4 | 3 | 2 | 3 | 5 | 4 | 41 |
| Frederick L. Simon | 26 | 56 | 21 | 14 | 26 | 15 | 18 | 22 | 24 | 33 | 255 |
| Karin Theodoros | 41 | 51 | 44 | 24 | 47 | 32 | 41 | 35 | 33 | 36 | 384 |
| Scatterings | | | | | | | | 2 | | 2 | 4 |
| Blanks | 28 | 27 | 29 | 31 | 27 | 31 | 35 | 36 | 31 | 36 | 311 |
| Total | 248 | 307 | 243 | 173 | 213 | 209 | 231 | 238 | 251 | 259 | 2,372 |

# WARRANT FOR
# 1994 ANNUAL FALL TOWN MEETING
# OCTOBER 4, 1994

MIDDLESEX, SS.

To Any Constable in the Town of Billerica:
GREETINGS:

You are hereby authorized and required to notify and warn the inhabitants of said Town of Billerica qualified by law to vote in Elections and Town Affairs, to meet at the Maurice A. Buck Memorial Auditorium, Town Hall, 365 Boston Road, Billerica, MA, Tuesday, October 4, 1994, at 7:30 P.M. and subsequent Thursdays and Tuesdays until all of the business in the warrant shall have been acted upon, then and there to vote on the following articles:

**ARTICLE 1:**
To hear and act upon the reports of Town Officers and Committees heretofore appointed;

or act in relation thereto.

Submitted by the Town Administrator under the authority of the Board of Selectmen.

**ARTICLE 2:**
To see if the Town will vote to accept the report of the in-house Legal Counsel Study Committee;

or act in relation thereto.

Submitted by the In-house Legal Counsel Study Committee, Ellen Day Rawlings, Chairman.

**ARTICLE 3:**
To see if the Town will vote to amend Article #37 of the 1994 Annual Spring Town Meeting by replacing the reporting date of the Water and Sewer District Study Committee from January 31, 1995 to the 1995 Annual Fall Town Meeting;

or act in relation thereto.

Submitted by the Water and Sewer District Study Committee.

**ARTICLE 4:**
To see if the Town will vote to amend the budget adopted in the spring session of the Town Meeting, which was prepared pursuant to Article 5 of the Billerica Home Rule Charter and represents the line item budget for fiscal 1994-1995 (FY 95);

or act in relation thereto.

Submitted by the Town Administrator under the authority of the Board of Selectmen.

**ARTICLE 5:**
To see if the Town will vote to raise and appropriate or transfer from available funds the sum of $100,000 to fund the Collective Bargaining Agreement between the Town of Billerica and the Billerica Municipal Employees Association (B.M.E.A.);

or act in relation thereto.

Submitted by the Town Administrator under the authority of the Board of Selectmen.

**ARTICLE 6:**
To see if the Town will vote to raise and appropriate or transfer from available funds the sum of $75,000 for previous year's bills;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

**ARTICLE 7:**
To see if the Town will vote to raise and appropriate or transfer from available funds the sum of $100,000 to repair the heating, air conditioning units and make necessary repairs to the New Town Hall:

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

**ARTICLE 8:**
To see if the Town will vote to appropriate a sum of money not in excess of $2,500,000 for improvements to the Town's water treatment and distribution system, including analysis of the Town's water supply; the purchase, replacement or rehabilitation of Water Department equipment, including generator and electrical equipment at the Water Treatment Plant; the laying and relaying, lining and relining and extension of water mains and all engineering and other costs incidental thereto; to determine whether this appropriation shall be raised by borrowing or otherwise;

or take any other action relative thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

**ARTICLE 9**

To see if the Town will vote to amend the vote passed under Article 26 at the 1993 Annual Spring Town Meeting to read as follows:

Voted: That $1,200,000.00 be appropriated for reconstruction and making extraordinary repairs to public school buildings including with limitation the Marshall Middle School and the Billerica Memorial High School, consisting of the replacement of all or a portion of the roofs of such schools; that to meet this appropriation, the Treasurer with the approval of the Selectmen, is authorized to borrow $1,200,000.00 under G.L. c44.7 or Chapter 645 of the Acts of 1948 as amended; and that the School Committee is authorized to take any other action necessary to carry out this project;

or to take any other action relative thereto.

Submitted by the Billerica School Committee.

**ARTICLE 10:**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum, not to exceed $55,010 to fund the Collective Bargaining Agreement between the Town of Billerica School Committee and the American Federation of State, County and Municipal Employees, AFL-CIO, Council 93, Local 2747, Custodian Employees;

or act in relation thereto.

Submitted by the Billerica School Committee.

**ARTICLE 11:**

To see if the Town will vote to transfer from the Sale of Lots Account $100,000.00 to repair and improve the roadways and entrances to the Fox Hill Cemetery;

or act in relation thereto.

Submitted by the Billerica Cemetery Commission.

**ARTICLE 12:**

To see if the Town will vote to raise and appropriate, borrow or transfer funds to purchase a low profile traffic enforcement cruiser. A sum not to exceed $18,000;

or act in relation thereto.

Submitted by Michael Tammaro, Petitioner and Messrs. Hays, Paskiewicz, Paskiewicz, Hallenborg, Kepple, Tremblay, Morris and Madames McDonough and Gass.

**ARTICLE 13:**

To see if the Town will vote to raise and appropriate and/or transfer $50,000.00 to add a full time position to the Building Department staff, whose time will be dedicated exclusively to the enforcement of the Billerica Zoning By-Law. A written report shall be independently prepared, without interference from any other person and made available to Town Meeting Representatives in December 1994 and June 1995 by said position to fully document the accomplishments and expenditures of the Town regarding the enforcement of the Zoning By-Law. This report shall also include recommendations to improve enforcement processes, management and complaint resolutions;

or act in relation thereto.

Submitted by Donald J. Flynn, Petitioner and Messrs. Delorey, Tufts, Gabalis, Melendy, Foster and Madames Delorey, Flynn, Delorey and Melendy.

**ARTICLE 14:**

To see if the Town will vote to raise and appropriate, transfer, borrow or otherwise provide the sum of $20,000 to fund the Billerica D.A.R.E.;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

**ARTICLE 15:**

To see if the Town will vote to raise and appropriate, transfer, borrow or otherwise provide the sum of $20,000 to fund the Billerica D.A.R.E.;

or act in relation thereto.

Submitted by William G. Greene, Petitioner, and Messrs. Moreira, McDowell, Chouanes, McDonough, Biagiotti, Barbere and Madames Moreira, Bone and Lally.

**ARTICLE 16:**

To see if the Town will vote to transfer from free cash a sum of money to be applied to the fiscal year 1994-95 tax rate;

or act in relation thereto.

Submitted by the Finance Committee.

**ARTICLE 17:**

To see if the Town will vote to authorize the Board of Selectmen to file legislation to exempt the position of Local Inspector from the provisions of Mass. General Laws, Chapter 31, Civil Service;

or act in relation thereto.

Submitted by the Town Administrator under the authority of the Board of Selectmen.

**ARTICLE 18:**

To see if the town will vote to amend Article 7, October 5,1993 Special Town Meeting by adding after the words Old Billerica Town Hall the words Old Billerica Police Station.

To see if the Town will vote, pursuant to the requirements of M.G.L., Chapter 40, Section 3 and the provisions of the Billerica Home Rule Charter, to authorize a long term lease agreement between the Billerica Historic Preservation Corporation, the Town Administrator and the Board of Selectmen for the use of the Old Billerica Town Hall, Old Police Station. Said term of the lease should be for a minimum of thirty (30) years with two, ten (10) year renewable options and to act in any other manner in relation thereto.

Submitted by the Board of Selectmen.

**ARTICLE 19:**

To see if the Town will vote to authorize the Board of Selectmen to acquire the following rights in land parcels for the purpose of obtaining secure and public rights of way or easements. This action will allow for the relocation of Ingersoll Road, in accordance with a plan titled: Proposed Street Relocation, Billerica, August, 1973, by James B. Monahan, RLS, approximately 3,218 square feet.

Furthermore, that the Board of Selectmen may acquire these rights of way or easements or modifications of these through all legal means. This includes donations, and/or eminent domain;

or act in relation thereto.

Submitted by the Town Administrator under the authority of the Board of Selectmen.

**ARTICLE 20:**

To see if the Town will vote to authorize the Board of Selectmen to acquire the following rights in land parcels for the purpose of obtaining secure and public rights of way or easements. This action is in connection with the construction of safety improvements at the intersection of Boston Road, Pollard Street and Floyd Street.

| | |
|---|---|
| Plate 31, Parcel 266 | Approximately 1,200 s.f. |
| Plate 41, Parcel 3 | Approximately 200 s.f. |
| Plate 31, Parcels 72 & 77 | Approximately 1,100 s.f. |
| Plate 31, Parcel 78 | Approximately 1,300 s.f. |
| Plate 31, Parcel 85-1 | Approximately 240 s.f. |
| Plate 31, Parcel 43-1-1 | Approximately 400 s.f. |
| Plate 31, Parcel 255 | Approximately 2,300 s.f. |
| Plate 31, Parcel 286 | Approximately 16,500 s.f. |
| Plate 31, Parcel 287 | Approximately 3,150 s.f. |
| Plate 31, Parcel 34-1 | Approximately 500 s.f. |

Furthermore, the Board of Selectmen may acquire these rights of way or easements or modifications of these through all legal means. This includes donations, and/or eminent domain;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

**ARTICLE 21:**

To see if the Town will vote to authorize the Board of Selectmen to acquire the following rights in land parcels for the purpose of obtaining a secure and public utility easement. This action will allow for the construction of storm drainage appurtenances on Morningside Drive in Billerica:

| | |
|---|---|
| Plate 26, Parcel 150 | Approximately 4,020 sq. ft. |
| Plate 26, Parcel 151 | Approximately 4,020 sq. ft. |

Furthermore, that the Board of Selectmen may acquire these easements or modifications of these easements through all legal means. This includes donations, and/or eminent domain;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

**ARTICLE 22:**

To see if the Town will vote to authorize the Board of Selectmen to acquire the following rights in land parcels for the purpose of obtaining a secure and public utility easement. This action will allow for the construction of storm drainage appurtenances on Alpine Street in Billerica:

| | |
|---|---|
| Plate 8, Parcel 13 | Approximately 5,000 sq. ft. |

Furthermore, that the Board of Selectmen may acquire these easements or modifications of these easements through all legal means. This includes donations and/or eminent domain;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

**ARTICLE 23:**

To see if the Town will vote to modify the Town of Billerica Sanitary Sewer Rules and Regulations to comply with current Federal Environmental Protection Agency requirements regarding imposition of fines for violation of rules and regulations promulgated by prior Town Meeting actions;

from the current wording:

**ARTICLE XI PENALTIES**

Section 1. Any person violating any provision of these Rules and Regulations may be punished by the maximum monetary amount permitted under the existing laws of the Commonwealth of Massachusetts. The current maximum monetary amount has been established at the rate of five thousand dollars ($5,000) per day. Each day of continued violation shall constitute a separate violation.

to the proposed wording:

**ARTICLE XI PENALTIES**

Section 1. Under the provisions of 40 CFR 403.8 (f) (I) (vi) (A), the Town of Billerica will seek injunctive relief for non-compliance with pretreatment standards and requirements. Any person violating any provisions of these Rules and Regulations may be punished by the maximum monetary amount permitted under the existing laws of the Commonwealth of Massachusetts. The current maximum monetary amount has been established at the rate of five thousand dollars ($5,000) per violation per day. Each day of continued violation shall constitute a separate violation.

Section 2. Monetary penalties shall be issued solely from the office of the Director of Public Works.

Section 3. The minimum monetary penalty for any violation of the Town of Billerica Sanitary Sewer Rules and Regulations shall be five hundred dollars ($500).

Section 4. Payment for monetary penalties issued by the Director of Public Works shall be due within thirty (30) days by check, drawn payable to the Town of Billerica;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

**ARTICLE 24:**

To see if the Town will vote to accept Tower Farm Road, from Poe Road to Boston Road, in accordance with the plan (s) on file with the Town Clerk;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

**ARTICLE 25:**

To see if the Town will vote to discontinue the following streets as a public way, as shown on the plan.

1. Jericho Lane south from its intersection with Gail Ann Drive, approximately 650 feet to a side property line of parcel 148-1 on Assessor's Map 43.

2. Davis Street south from its intersection with Gail Ann Drive approximately 720 feet to a side property line of parcel 145-1 on Assessor's Map 43.

3. Delwood Drive south from its intersection with Gail Ann Drive approximately 1,130 feet to a side property line of parcel 228 of Assessor's Map 43.

4. Brownstone Road north from its intersection with Gail Ann Drive approximately 620 feet to a side property line of parcel 214 on Assessor's Map 33.

5. Aiken Drive from Gail Ann Drive to Old Salem Road. Approximately 1,080 feet.

6. Quill Way between Gail Ann Drive and Old Salem Road, approximately 1,205 and all of the section running north of Old Salem Road measuring approximately 360 feet.

7. Sunny Street between Gail Ann Drive and Old Salem Road, approximately 1,420 feet and all of the section running north of Old Salem Road for approximately 150 feet.

8. Stedman Street between Gail Ann Drive and Old Salem Road, approximately 1,700 feet.

9. Gail Ann Drive from its intersection with Delwood east to its intersection with Essex Street approximately 940 feet.

10. Dresden Drive south from its intersection with Gail Ann Drive approximately 675 feet;

or act in relation thereto;

Submitted by: Ruthanne Bossi, Planning Board Chairman and Joanne Giovino Chairman of the Conservation Commission.

**ARTICLE 26:**

To see if the Town will vote to discontinue Greenleaf Street as a public way; for a distance from Forest Street and to northwestern dead end;

or act in relation thereto.

Submitted by Carol A. Brown, Petitioner and Messrs. Mitchell, Pasquale, Conantuoni, Keaney, Farmer, Jr., Malone, Jr., Annese and Madames Mitchell and Capen

**ARTICLE 27:**

To see if the Town will vote to discontinue Martin Drive as a public way for a distance from the existing cul-de-sac and to parcel 136.8 on zoning may 97;

or act in relation thereto.

Submitted by Thomas F. Bailey, Petitioner and Messrs. Flynn, Mulvey, McCaughey, and Madames Flynn, Bailey, Mulvey, Skillin, Heavey and Toomey

**ARTICLE 28:**

To see if the Town will vote to amend Section 2.1, Article 4 of the General By-Laws and replace it with the following:

"Whenever a new housing development, sewage improvement, new sidewalks are put in, streets are resurfaced, or any kind of construction disrupts an existing sidewalk, curb cuts (sidewalk ramps) shall be added in accordance with the regulations issued by the Architectural Access Board pursuant to Section 13A of Chapter 22 of the Mass. General Laws, and the (ADA) Federal Law";

or act in relation thereto.

Submitted by the Handicapped Commission

**ARTICLE 29:**

To see if the Town will add the following to the General By-Laws as Article 17, Section 5;

5. Advertising
   All advertising shall be published in a paper of local circulation in accordance with one or more of the following standards as specified in the by-law:

   A. for one week
   B. consecutively for two weeks
   C. consecutively for four weeks
   D. the last notice not to exceed 10 days prior to
   E. the last notice not to exceed 7 days prior to

6. Mailed Notices
   All mailed notices will be sent in accordance with one or all of the following standards as specified in the by-law:

   A. 7 days notice prior to
   B. 10 days notice prior to
   C. 14 days notice prior to
   D. by certified mail
   E. by return receipt requested mail
   F. to direct abutters
   G. to abutters to abutters
   H. to all abutters
   I. within 100 feet
   J. within 300 feet
   K. all residents
   L. all voters

or act in relation thereto.

Submitted by Richard Young, Chairman, By-Law Review Committee

**ARTICLE 30:**

To see if the Town will make this Article 20, Section 14 of the General By-Laws:

**Section 14:** For the preservation and care of lots in public burial place of the Town, the Treasurer shall receive and give the depositor a receipt for any sum of money not exceeding $500.00 which may be deposited with him for the care of any particular lot; said sum to be expended in the manner directed by the depositor, or under direction of the Cemetery Committee; each lot to be credited with the amount deposited for same and debited with all expenditures. When the sum so received is $50.00 or more, it shall be deposited in one or more institutions for savings or loaned to some City or Town in the Commonwealth of Massachusetts and the income thereof annually be credited to the lot. The Treasurer shall report at every annual Town Meeting the names of all persons who have made such deposit, the outlay made on the respective lots for the year then expired, and the balance then standing to credit of the same;

or act in relation thereto.

Submitted by Richard Young, Chairman, By-Law Review Committee

**ARTICLE 31:**

To see if the Town will make this Article 4, Section 5.10:

5.10 It shall be the duty of the Town Clerk to keep a book of records for the sole purpose of recording the location of all ways that are, or may be in the future laid out within the Town.

A. This book shall have an index;

or act in relation thereto.

Submitted by Richard Young, Chairman, By-Law Review Committee

**ARTICLE 32:**

To see if the Town will amend Article 2 of the General By-Laws to read as follows:

ARTICLE II

**CERTAIN POWERS AND DUTIES OF TOWN OFFICERS**

1. SELECTMEN
   - 1.1 The Selectmen shall have full authority, as agents of the Town to:
     - A. Institute and prosecute suits in the name of the Town
     - B. Appear and defend suits brought against it, unless it is otherwise specially ordered by vote of the Town.
   - 1.2 The Selectmen shall by majority vote execute any deed or other instrument which shall be required to carry into effect any vote of the Town, on behalf of the Town.
     - A. Except in a special case as voted by the Town.
   - 1.3 The Selectmen shall examine the books of the Treasurer at least ever six months.
     - A. They shall ascertain the condition of the treasury
     - B. See that the funds of the Town are at all times available.
     - C. Make sure that all temporary loans are paid on time.
     - D. They shall keep a record of these examinations.
     - E. They shall report the result of them to the town in connection with their annual report.
   - 1.4 The Selectmen shall not make appointments to the office of "Constable of Billerica" to a resident of another city or town if that city or town will not appoint Billerica residents who hold the office of Constable to their city or town.

2. TREASURER
   - 2.1 All promissory notes of the Town shall be signed by the Treasurer and countersigned by a majority of the Selectmen.
   - 2.2 Town Treasurer shall:
     - A. Not pay any money without a written or printed warrant for the same.
     - B. This warrant shall be signed by a majority of the Selectmen.
     - C. State and County taxes and principal and interest of legally authorized Town notes are excepted.
   - 2.3 Annually sign all promissory notes on or before the fourth of February.
   - 2.4 Render to the Selectmen in writing, a full account of all his receipts and disbursements for the previous fiscal year.

3. LIABILITY
   - 3.2 The Town shall indemnify any duly elected or appointed official for cost and/or damages incurred by them which arose out of their actions within the scope of their official duties for the Town.
   - 3.2 This shall include excesses over and above any part of the claim which is covered by an insurance policy or which is otherwise covered by law.
   - 3.3 Town Meeting Members are excluded from this section.
   - 3.4 This section is subject to appropriation.

4. DISPOSAL OF TANGIBLE PROPERTY
   - 4.1 Subject to the approval of the Board of Selectmen, each department head is authorized to sell or trade any tangible property which is owned by the town and under the control of said department which is obsolete or of no practical value.
   - 4.2 If the fair market value of the tangible property to be sold or traded exceeds $100.00, it may be sold or traded subject to the applicable provisions of Article 3 of these By-Laws.

5. DISPOSAL OF TAX TITLE PROPERTY

   The Board of Selectmen is authorized to sell property taken by the Town under the Tax Title procedure by the following terms and conditions:
   - 5.1 Except as provided in Section 5 of this By-Law, no property shall be sold for less than the total book value or 50% of the assessed valuation, whichever is greater.
   - 5.2 Notice of intention to sell shall be done under General By-Law Article 17, Section 5B and 5D, and;

A. the notice shall include the minimum acceptable bid as set forth above, and;
B. reference this Article and section

5.3 Abutters to parcels of land which do not meet the area, frontage or depth requirements of the Zoning By-Law and;
A. accept a restriction on the deed prohibiting the construction of any free standing building for human habitation or business purposes and;
B. accept a Deed of Conveyance showing the buyer's existing lot; may submit a bid of not less than the total book value or 25% of the assessed valuation, whichever is greater.

5.4 Parcels not meeting Zoning By-Law size requirements shall require a notice to be mailed under General By-Law Article 17, Section 6C, 6D and 6H prior to the bid-opening date.
A. Said notice shall include a description of the land and a copy of Article 2, Section 5.

5.5 The award shall be made to the qualified bidder submitting the highest bid above the stipulated minimum.
A. All qualified bidders under Section 5 shall have priority over all other bidders.

5.6 All costs relating to the advertising and transfer of the parcel shall be added to the amount of the bid and paid by the purchaser.

5.7 The Town may sell adjoining Tax Title parcels to abutters accepting Section 5 provisions if they meet the following minimums:
A. 5,000 square feet of area, and
B. 50 feet frontage, and
C. had been recorded on a plan prior to zoning

5.8 The Selectmen may accept or reject all offers that they deem not to be in the best interest of the Town.

5.9 The Board of Selectmen shall conduct no more than three such sales in any one calendar year.

6. DUTIES OF TOWN PERSONNEL

6.1 RECREATION COMMISSION
The Recreation Commission shall be responsible for issuing usage permits for all Town owned fields and recreational facilities and with the permission of the School Committee any school owned fields and recreational facilities.
A. They may attach any conditions to such permits in the use of said fields that it may require.
B. A Recreation Director shall be appointed by the Town Administrator to carry out the directives and policies of the commission.
C. A five-year recreational plan shall be submitted with the annual budget which details the intent of the commission to construct, reconstruct, maintain and remove from service, all town recreations facilities, excluding those under the jurisdiction of the School Committee.
1. This submittal shall be consistent with the requirements of Article 5 of the Charter and include the current year.
D. The Recreation Commission shall be entitled to, but not required to submit, a recommendation at the Town Meeting on any matter that involves town recreational facilities.

6.2 PERSONNEL BOARD
The powers and duties of the Personnel Board shall include, but are not limited to:
A. In cooperation with the Town Administrator, the board may initiate, develop and recommend personnel policies and procedures to improve the administration of the town;
B. Certify all personnel actions prior to their effective date in insure regulatory compliance;
C. The Board shall be entitled to, but not required to submit, a recommendation at the town meeting on any matter that involves the town personnel system;
D. Advise the Town Administrator on all collective bargaining negotiations and at its discretion, have a designated member present as an observer during negotiations.

6.3 COMMITTEE OF OMBUDSMEN
A Committee of Ombudsmen is established to consist of five members to be appointed by the Town Moderator for a term of one year each. The purpose of the Ombudsmen Committee is:
A. To hear grievances regarding town positions, agencies, boards, committees and commissions;
B. To provide the aggrieved with recommendations as to how/if they should proceed;
C. To provide feedback to the appropriate town agencies about the grievances.

6.4 COUNCIL ON AGING
A Council on Aging is established consisting of seven members appointed by the Selectmen from the voters and residents of the Town for a term of three years to be staggered three-two-two as follows:
(1) 4 or more residents members age 60 or over;

(2) 3 or less residents;
(3) 1 non-voting ex-officio member from each recognized Senior Citizens' organization;
(4) 1 non-voting ex-officio member from the Housing Authority, the Board of Health and the Veterans' Office.

A. It shall be the duty of the Council on Aging to coordinate or carry out programs designed to meet the needs and problems of the aging in coordination with the Department of Elder Affairs and the Area Agency on Aging. The council shall submit an annual report to the Town and shall send a copy thereof to the Department of Elder Affairs as established under Section 8B of Chapter 40 of the Massachusetts General Laws of 1966.

or act in relation thereto

Submitted by Richard Young, By-Law Review Committee

**ARTICLE 33:**

To see if the Town will amend Article 3 of the General By-Laws, or act in relation thereto.

**ARTICLE III**
**FINANCIAL REGULATIONS**

**Section 1.** The financial year shall begin with the first day of July and end with the last day of June.

Article 15, A.T.M. 2/10/23
Amended - ART. 29, AFTM 10/4/83; Eff. 12/30/83

**Section 2.** The assessment of taxes shall be completed and the tax list and warrant shall be delivered to the Collector, on or before the fifth day of August in each year, provided the bond of the Collector has been approved.

Approved, 1897

**Section 3.** All taxes assessed in each year shall be payable on or before October 15th. Bills for poll taxes only should be paid within ten days of presentation.

Article 16, A.T.M. 2/10/23

**Section 4.** It shall be the duty of the Collector to have the substance of Section 3 printed on all tax bills.

Approved, 1897

**Section 5.** It shall be the duty of the Collector to pay over to the Town Treasurer all taxes by him collected, at least once in two weeks until the collection is completed.

Approved, 1897

**Section 6.** It shall be the duty of the Collector to complete and make an account of the collection of all taxes committed to him, and present the same to the Selectmen for settlement on or before the fifteenth day of January in each year.

Approved, 1897

**Section 7.** The Books and Accounts of the Town of Billerica shall be audited annually under the direction of the Director of Accounts, Department of Corporation and Taxation.

Article 9, A.T.M. 2/4/33

**Section 8.** (Deleted A.T.M. 10/4/83, Art. 30)

**Section 9.** Voted that the Town adopt a by-law, as permitted in General Laws, Chapter 40, Section 21 (13) requiring all town officers to pay all fees received by them by virtue of their offices into the treasury.

Art. 17, A.T.M. 3/17/53; Eff. 5/28/53

**Section 10.** Bid By-Law

A. Every contract for the procurement of supplies, services or real property and for the disposal of supplies or real property shall be solicited and awarded pursuant to the provisions of the Uniform Procurement Act, Massachusetts General Laws, Chapter 30B, Section 4 and 5.

B. Every contract for the construction, reconstruction, alteration, remodeling or repair of any public works, or for the purchase of any materials related thereto estimated to cost less than $25,000.00, shall be solicited and awarded, at the discretion of the procurement officer, pursuant to either the provisions of Massachusetts General Laws, Chapter 30, Section 39M or the provisions of M.G.L. Chapter 30B, Section 5.

C. Every contract for the construction, reconstruction, alteration, remodeling or repair of any public works, or for the purchase of any materials related thereto or for the construction, reconstruction , installation, demolition, maintenance or repair of any building, or for the purchase of any materials related thereto estimated to cost more than $25,000.00 shall be awarded in accordance with the provisions of Massachusetts

General Laws, Chapter 30, Section 39M or Chapter 149, Section 44 A-H respectively.
Amended: Article 9, A.F.T.M. 10/6/92

**Section 11.** FEES OF THE TOWN CLERK

The fees of the Town Clerk shall be established as set forth in Section 34 of Chapter 262 of the General Laws and any acts in amendment thereof or in addition thereto, except for the following fees, to be effective February 6, 1989 listed as items 1 thru 79.

| | | |
|---|---|---|
| 1. | For filing and indexing assignments for the benefit of creditors | $10.00 |
| 11. | For entering amendment of a record of the birth of an illegitimate child subsequently legitimized | 10.00 |
| 12. | For correcting errors in a record of birth. | 10.00 |
| 13. | For furnishing certificate of a birth | 5.00 |
| 13A. | For furnishing an abstract copy of a record of birth | 4.00 |
| 14. | For entering delayed record of birth | 10.00 |
| 20. | For filing certificate of a person conducting business under any title other than his real name | 20.00 |
| 21. | For filing by a person conducting business under any title other than his real name or statement of change of his residence or of his discontinuance, retirement or withdrawal from, or of a change of location of such business | 10.00 |
| 22. | For furnishing certified copy of certificate of person conducting business under any title other than his real name or a statement by such person of his discontinuance, retirement or withdrawal from such business | 5.00 |
| 24. | For recording the name and address, the date and number of the certificate issued to a person registered for the practice of podiatry in the Commonwealth | 20.00 |
| 29. | For correcting errors in a record of death | 10.00 |
| 30. | For furnishing a certificate of death | 5.00 |
| 30A. | For furnishing an abstract copy of a record of death | 4.00 |
| 42. | For entering notice of intention of marriage and issuing certificates thereof | 15.00 |
| 43. | For entering certificate of marriage filed by persons married out of the Commonwealth | 5.00 |
| 44. | For issuing certificate of marriage | 5.00 |
| 44A. | For furnishing an abstract copy of a record of marriage | 4.00 |
| 45. | For correcting errors in a record of marriage | 10.00 |
| 54. | For recording power of attorney | 10.00 |
| 57. | For recording certificate of registration granted to a person to engage in the practice of optometry, or issuing a certified copy thereof. | 20.00 |
| 58. | For recording the name of the owner of a certificate of registration as a physician or osteopath in the Commonwealth | 20.00 |
| 62. | For recording order granting locations of poles, piers, abutments or conduits, alterations or transfers thereof, and increase in the number of wires and cable or attachments under the provisions of Sec. 22 of Chap. 166. (Flat Rate) | 40.00 |
| | and that an additional fee for each street or way included in such order. (Additional Fee) | 10.00 |
| 66. | For examining records or papers relating to birth, marriage or deaths upon the application of any person, the actual expense thereof, but not less than | 5.00 |
| 67. | For copying any manuscript of record pertaining to a birth, marriage or death. (per page) | 5.00 |
| 69. | For receiving and filing of a complete inventory of all items to be included in a "closing out sale", etc. | |
| | Per first page | 10.00 |
| | Per additional page | 2.00 |
| 75. | For filing a copy of written instrument of declaration of trust by the trustees of an association or trust, or any amendment thereof as provided by Sec. 2, Chapter 182 | 20.00 |
| 78 | For recording deed of lot or plot in a public burial place or cemetery | 10.00 |
| 79. | Recording any other documents (first page) | 10.00 |
| | (each additional page) | 2.00 |
| | Voter's Card | 5.00 |

Art. 6, S.T.M. 4/9/81; Eff, 7/28/81
Amended: Art. 23, AFTM, 10/4/88; Eff. 1/13/89

Submitted by Richard Young, Chairman, By-Law Review Committee

**ARTICLE 34:**

To see if the Town will amend Article 6; or act in relation thereto.

## ARTICLE VI
## POLICE REGULATIONS

**Section 1.** Prohibiting persons from entering upon another's premises for the purpose of committing wanton or malicious acts or other unlawful acts, and providing a

penalty therefor. Be it ordained by the Town of Billerica, as follows:

A. No person shall enter upon the premises of another for the purpose of committing any wanton or malicious act, nor for the purpose of committing any wanton or malicious act, nor for the purpose or with the intention of invading the privacy of another by peeping into the windows of a house or spying upon any person or persons resident therein, and no person being on the premises of another, shall peep into the windows of a dwelling house thereon nor spy upon any person or persons resident therein.

B. Nothing contained in the By-Law shall be constructed to abridge nor, in any way, limit the right of a police officer to enter upon private property nor to perform any act necessary in the performance of his official duties.

C. Violation of this By-Law shall be punished by a fine of Twenty Dollars ($20.00) for each and every offense.

D. This By-Law shall take effect upon its passage in accordance with the provisions of Chapter 40 of the General Laws.

**Section 2.** Whoever shall, at any time, without the permission of the Selectmen, explode India crackers, torpedos, or other explosive articles or discharge firearms or cannon in any street or way, near any vehicle passing thereon, or any dwelling house, except in performance of some legal duty, shall forfeit a sum not less than One Dollar $1.00) nor more than Ten Dollars ($10.00) for each offense

Approved, 1897

**Section 3.** Whoever shall behave in any indecent or disorderly manner, or use profane, indecent, threatening or insulting language in any public place, or on any sidewalk or street in the Town or near any house, to the annoyance or disturbance of any other person there being or passing in a peaceable manner, shall forfeit and pay a sum not less than Two Dollars nor more than Twenty Dollars for each offense.

Approved, 1897

**Section 4.** All idle and disorderly children who shall misspend their time in the streets or fields during school hours, all persons who shall, by day or night, congregate noisily in or about the streets, stores, or public places of the Town, or disturb the public quiet by the unauthorized ringing of the church or other bells, or who shall at any time deface, pull down, or injure any building, fence, placard, or sign, or other structure in this Town, not under his own rightful control; or shall trespass on any property, real or personal, or wrongfully remove therefrom or injure thereon any tree, plant, shrub, fruit or vegetable; or who shall create any disturbance of, or in, any lawful meeting of the citizens of this Town, shall for each and every one of such offenses be severally liable to a fine not exceeding Twenty Dollars.

Approved, 1897

**Section 5.** Whoever shall affix with paste, or any other means, any bill, placard, or notice, or who shall write any figures, words or devices, to or upon a building, fence, telegraph or telephone pole or wall in the Town, where the owner or occupant shall have posted a notice forbidding the same, or shall make any indecent drawing or writings upon any fence, tree, building, or structure in any public place, shall forfeit and pay a sum not less than Two Dollars nor more than Ten Dollars for each offense.

Approved, 1897
Amended: Art. 25. A.T.M. 3/26/10

**Section 6.** Whoever shall coast or slide upon a sled or other like vehicle in or upon any public street or way within the town (where notice has been put by the Selectmen forbidding same), shall forfeit and pay a sum not less than One Dollar nor more than Five Dollars for each offense.

Approved 1897

**Section 7.** No person shall bathe or swim in any public or exposed place without covering the body.

Approved, 1897

**Section 8.** No person shall play at ball, or throw balls, stones, snowballs, or other missiles within or upon any of the streets or public places of the Town, or play at any game obstructing free passage of the same.

Approved, 1897

**Section 9.** All penalties of forfeiture recovered for breach of any of these by-laws shall be paid into the Town Treasury for the use of the Town.

Approved, 1897

**Section 10.** Any Judge, or Justice of any Police Court in the County of Middlesex, and any Trial Justice in said County, shall have jurisdiction of the offenses mentioned in these by-laws, and authority to enforce the same. Any Town Constable or police officer may make arrests and

serve warrants and other processes necessary for the enforcement of the same, and the costs and fees shall be the same as allowed in criminal prosecutions before said courts or magistrates.

Approved, 1897

**Section 11.** Every violation of any of these by-laws except when the penalty is specially stated, shall be punished by a fine of not less than Two Dollars nor more than Twenty Dollars; and it shall be the duty of the Selectmen, Constables and Police Officers to prosecute every violation of all by-laws.

Approved, 1897

**Section 12.** No person shall sprinkle, scatter, or put on any sidewalk, crossing, or street, or upon the rails, switches, or other appliances of a street railway in any street, any salt, or mixture of salt, except in accordance with a permit from the Selectmen.

Approved, 1897
Amended: Art. 25, A.T.M. 3/26/10

**Section 13.** No person shall coast or slide on any sled or other vehicle in or upon any public street or way in the town, but the Selectmen, in their discretion, may, by public notice, designate any streets or ways where coasting may be permitted for a period to be designated in such notice.

Art. 25 A.T.M. 3/26/10

**Section 14.** The Selectmen may grant a written license to any person to occupy or obstruct a sidewalk for a limited time for the more convenient erection, alteration, or repair of a building, and they shall require the person to whom such license is given to furnish a satisfactory bond to the Town to hold it harmless from all claims for loss or damage arising from such occupancy or obstruction under such license. The person doing the work or causing the same to be done shall place a good and convenient temporary walk around such obstructions when ordered to do so by the Selectmen or person or board having charge of the public streets.

Article 25, A.T.M. 3/26/10

**Section 15.**

A. Depositing, dumping or storing garbage, trash, hazardous or non-hazardous waste, toxic or non-toxic chemicals, unregistered motor vehicles or parts of motor vehicles, tires, materials of any type from razed or partially razed buildings, household or industrial furnishings or appliances within the limits of any public or private way or in or upon any Town owned land is forbidden.

B. Violation of this Section is punishable by a fine of $250.00 for each offense. Each day the violation continues is considered a separate offense.

C. This By-Law shall be enforced on behalf of the Town by its Police Department which shall have the right to issue a citation to any and all persons in violation of this By-Law.

D. Notice of this By-Law shall be posted at each major roadway entering Town.

Amended: Art 39, ASTM, 5/2/89

E. No person shall be allowed to throw posters, handbills, flyers, advertising sheets, waste or rubbish in the public streets or ways.

**Section 16.** The Selectmen may license such persons, as they deem suitable, to be dealers in and keepers of shops for the purchase, sale or barter of junk, old metals, or second-hand articles, with the Town, and as junk collectors, to collect, by purchase or otherwise, junk, old metals and second-hand articles from place to place within the Town, subject to the provisions of Section 186 of Chapter 102, of the Revised Laws, as amended by Section 1 of Chapter 187 of the Acts of 1902, and to Sections 187 to 189, inclusive, of Chapter 102 of the Revised Laws and of the General Laws of 1920, provided, nevertheless, that all licenses thus granted shall contain a clause that the person thus licensed agrees to abide by, and be subject to, all the provisions of these by-laws, or any by-laws which may be adopted by the Town, relating to dealers in and keepers of shops licensed for the above purposes and to junk collectors licensed as aforesaid.

Article 25, ATM 3/26/10

**Section 17.** No person shall fire or discharge a firearm, rifle, shotgun, or explosives of any kind within the limits of any highway, road, park or other public property, except with the permission of the Board of Selectmen, or on any private property, except with the consent of the owner or legal occupant thereof;

This by-law shall not apply to the following;

A. To the lawful defense of life or property;

B. To any law enforcement officer acting in the discharge of his duties;

C. The discharge of firearms, rifle or shotgun, cannon,

(with blank ammunition) in fulfilling the needs of historical, ceremonial, competitive and sporting activities; (e.g., starter gun); for various road races (running/walking) held throughout the Town as fund raisers and for special events (e.g. Yankee Doodle Homecoming Weekend),

D. Sporting organizations and or sporting clubs involved in firearms use will be required annually, (during the month of January) to notify the Chief of Police and the Board of Selectmen in writing, of their intent to continue their operation as a sporting organization/ club for the ensuing year. Said notice to include a list of the organization/club officers and the location where firearm use is normally held.

Notice of this by-law shall be posted at each major roadway entering the Town of Billerica.

Any person violating this by-law shall be punished by a fine of not more than Two Hundred Fifty ($250.00) dollars for each offense.

Amended: Art. 6, ASTM 5/4/93; Eff. 9/14/93

**Section 18.** No person shall stand or loiter in or on any street, sidewalk or public place in such a manner as to obstruct the free passage of travelers thereon; nor shall any person on such street, sidewalk or public place, after being directed by a police officer to move on and disperse, on a same or subsequent day reassemble to loiter or remain so as to obstruct the free passage of travelers or motor vehicles; provided, however, that nothing herein contained shall be construed to deny the rights of peaceful picketing.

It shall be the duty of any police officer of the town of Billerica to order any person offending against the provisions of this section to move on and disperse and if the person so ordered or requested does not forthwith obey, to remove them, or to arrest and cause them to be brought before the Justice of the District Court of Lowell, and a complaint to be made against the provisions of the preceding sentence.

Art. 6, STM, 8/27/68; Eff.: 10/24/68

**Section 19** Alcoholic Beverages, Possession and Consumption of

1. Definitions. The following definitions shall apply in the interpretation and enforcement of this By-Law:
   A. Alcoholic Beverages shall mean any beverage defined as an alcoholic beverage in Section 1 of Chapter 138 of the General Laws.
   B. Private Property shall mean any real property within the Town of Billerica which is not owned by the Town.
   C. Public Property shall mean and include all town commons, school grounds, municipal parking lots, public cemeteries, municipal playgrounds and all real property, buildings, or offices owned by or leased to the Town or occupied or used by any board, department, committee, commission or office of the Town.
   D. Public Way shall mean the entire width between the lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel and shall include the entire width of any sidewalk within the lines of such way. In the case of ways established by prescription or concerning which no official layouts exist, the edges of the surface of the traveled way shall be deemed to be the lines of such public ways.

2. No person shall consume any alcoholic beverages on any public way or on any way to which the public has a right of access.

3. No person shall bring any alcoholic beverages onto any public property or onto any private property or possess or consume any alcoholic beverages in or upon any public property or private property without the permission of the owner or person lawfully in charge or control of such public property.

4. All alcoholic beverages possessed or consumed in violation of this By-Law shall be seized and held until final adjudication of the charge against the person or persons arrested or summoned before the court. After final adjudication all alcoholic beverages seized shall be returned to the persons entitled to the lawful possession of them.

5. Violations of this By-Law are punishable by a fine of Fifty ($50.00) Dollars for each offense.

6. This By-Law shall be enforced on behalf of the town by its Police Department which shall have the right to arrest any and all persons in violation of said By-Law.

7. If any part, section or provision of this By-Law is found to be invalid, the remainder of this By-Law shall not be affected thereby.

Article 15, A.T.M., 4/5/75; Eff.: 9/11/75

**Section 20.** Whoever shall deface, damage or de-

stroy any municipal property, shall be liable for the following fines:

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| First Offense | $50.00 |
| Second Offense | 100.00 |
| Third Offense | 150.00 |

Art 51, A.T.M. 4/1/80; Eff.: 8/6/80

**Section 22.** Truck Traffic

1. Definitions
   A. Truck: Any commercial vehicle over 18,000 lbs. registered gross vehicle weight and requiring a Class I and/or II driver's license.

   Art.31, A.S.T.M., 5/3/88; Eff.: 9/12/88

2. Sterling Road
   No commercial vehicle over 18,000 lbs. registered G.V.W. and requiring a Class I and/or Class II driver's license will be allowed to exit Sterling Road onto Rangeway Road. Appropriate signs to be placed on the right hand side of each driveway on Sterling Road, Esquire Road and Republic Road. Additional signs will also be posted at the intersection of Sterling Road and Rangeway Road. This by-law excludes school buses and any vehicle(s) providing service or delivery on Rangeway Road.

   Art. 33, A.S.T.M. 5/3/88; Eff.: 9/12/88

3. Rangeway Road
   No commercial vehicle over 18,000 lbs. registered G.V.W. and requiring a Class I and/or Class II driver's license will be allowed on Rangeway Road south of Route 129 during the hours of 8:00 P.M. to 8:00 A.M. Warning signs to be posted at the discretion of the Department of Public Works. At the intersection of Route 129 and Rangeway Road, two signs will be posted indicating no truck traffic between the hours of 8:00 P.M. and 8:00 A.M. This by-law excludes school busses and any vehicle(s) providing service or delivery on Rangeway Road.

   Art. 34, A.S.T.M. 5/3/88; Eff.: 9/12/88

**Section 23.** (No number 23)

**Section 24.** (No Number 24)

**Section 25.** SOLICITATION OR CANVASSING

1. License Required
   It shall be unlawful for any solicitor or canvasser as defined in this by-law to engage in such business within the Town without first obtaining a license therefor in compliance with the provisions of this by-law. The provisions of this by-law shall not apply to any person exempted under Chapter 101 of the General Laws, or any other person exempted by any other General Law, nor shall this by-law be construed to prevent route salesmen or other persons having established customers to whom they make periodic deliveries from calling upon such customers or from making calls upon prospective customers to solicit an order for future periodic route deliveries.

2. Definition
   A solicitor or canvasser is defined as any person who, for himself, or for any other person, firm or corporation travels by foot, automobile or any other type of conveyance from place to place, from house to house or from street to street, taking or attempting to lease or take orders for retail sale of goods, wares, merchandise, or services, including without limiting, the selling, distributing, exposing for sale or soliciting orders for magazines, books, periodicals or other articles of a commercial nature, the contracting of all home improvements, or for services to be performed in the future whether or not such individual has, carries or exposes for retail sale a sample of the subject of such sale or whether he is collecting advance payment on such retail sale.

3. Application
   Applicants for license shall file with the Chief of Police, on a form issued by the Police Department, a written application signed under the penalties of perjury, containing the following information:
   (a) Name of applicant
   (b) Address of applicant (local and permanent home address)
   (c) Applicant's height, weight, eye and hair color
   (d) Applicant's Social Security number
   (e) The length of time for which the right to do business is desired.
   (f) A brief description of the nature of the business and the goods to be sold.
   (g) The name and home address of the applicant's employer
   (h) A recent photograph of the applicant which picture shall be submitted by the applicant and be 2" by 2" showing the head and shoulders of the applicant in a clear and distinguishing manner.
   (i) If operating a motor vehicle, the year, make, model, color, motor number, registration number, state of registration, vehicle's owner and address.
   At the time of filing the application, each applicant shall pay a fee of Twenty-five Dollars ($25.00).

4. Investigation and Issuance
   1. Upon receipt of the application, the Chief of Police shall investigate the applicant's reputation as to criminal record or any other record which might demonstrate the applicant as a danger to the public.
   2. After an investigation, but within seven (7) business days of the filing of the applicant, the Chief of Police shall endorse on such application his approval or disapproval, and in the case of disapproval, setting forth his reasons therefor. Failure of the Chief of Police to act on said permit within seven (7) business days of the applicant's filing shall constitute approval. If disapproved, the applicant shall have the right of appeal to the Board of Selectmen in writing within seven (7) days of denial by the Chief of Police. The Board of Selectmen must act upon the appeal at one of their next two regularly scheduled meetings. Failure to so act shall be deemed approval.
   3. Such license when issued shall contain the signature of the Chief of Police or the Board of Selectmen and shall show the name, address, and a recent photograph of said licensee, the date of issuance and the length of time the same shall be operative, as well as the license number. The Police Department shall keep a record of all licenses issued for a period of six (6) years. Solicitors and canvassers when engaged in business of soliciting or canvassing are required to display an identifying badge issued by the Police Department, by wearing said badge on an outer garment or otherwise prominently displayed so as to be easily readable to any person facing said solicitor/canvasser. Each licensee is required to possess an individual license.
   4. No license shall be required for officers or employees of the Town, County, State or Federal Governments when on official business.
   5. No license shall be required for minors under the age of eighteen except in connection with commercial activity.

5. Duty of Police to Enforce - Transfer
   The police officers of the Town shall enforce this by-law. No license shall be transferred.

6. Revocation of License
   The Chief of Police is hereby vested with jurisdiction over the revoking of licenses. Any person aggrieved by such revocation may appeal to the Board of Selectmen within seven (7) business days, and a hearing will be scheduled for one of the next two regularly scheduled meetings of the Board of Selectmen.

7. Expiration of License
   Each license issued under the provisions of this by-law shall continue in force from the date of issuance until the thirty-first of December following, unless sooner revoked.

8. Renewal of License
   A license issued under the provisions of this by-law may be renewed by the Chief of Police. An applicant requesting a renewal of a license must apply in person for such license renewal, and provide such information as required to obtain an initial license.

9. Misrepresentation
   a. No solicitor or canvasser, licensed or exempted from license, may misrepresent, in any manner, the buyer's right to cancel as stipulated by Chapters 93, 93A, 255 of the General Laws.
   b. No solicitor or canvasser, licensed or exempted from license may use any play, scheme or ruse which misrepresents the true status or mission of the person making the call in order to gain admission to a prospective buyer's home, office or other establishment with the purpose of making a sale of consumer goods or services.

10. Trespassing
    It shall be unlawful for any canvasser or solicitor to enter the premises of a resident who has displayed a "no trespassing" or "no soliciting" sign or poster. Further, it shall be unlawful for canvassers or solicitors to ignore a resident or business person's no solicitation directive or remain on private property after it's owner has indicated that the canvasser/solicitor is not welcome.

11. Solicitation/Canvassing Times
    There shall be no soliciting/canvassing prior to 9:00 A.M., nor after 6:00 P.M.

12. Penalty
    Any person violating any provision of this by-law shall be subject to arrest, and upon conviction, be punished by a fine of not less than Fifty Dollars ($50.00) and not to exceed One Hundred ($100.00) Dollars for each and every offense.

Submitted by Richard Young, Chairman, By-Law Review Committee

**ARTICLE 35**

To see if the Town will amend Article 12 of the General By-Laws; or act in relation thereto.

## ARTICLE XII
## PERSONNEL BY-LAW

### SECTION 1. EMPLOYEE CLASSIFICATION

1. There is hereby established a Personnel By-Law (Article XII of the Billerica General By-Law) for those non-school employees and officials of the Town of Billerica, drawing compensation, who are not covered by collective bargaining agreements relative to salaries, wages, hours, benefits, and other conditions of employment.

2. Employees excluded from Step #1 are all employees whose employment status is classified as temporary, seasonal, emergency, substitute, casual and the like. The position of Town Administrator and his/her designee shall not derive, in entirety, any benefit from the provisions of Article #12 - The Personnel By-Law.

3. Hereinafter, the Town Administrator and his/her designee, and the Board of Selectmen of the Town of Billerica, shall be referred to as the "Town" in all sections of this By-Law unless duly noted.

4. This By-Law shall be administered by the Town Administrator of the Town of Billerica as provided for in Section 3-3 of the Town Charter.

5. The starting rate shall be the minimum of the rate range for the job as established by the Town Administrator. Subject to the approval of the Town Administrator, new employees may be hired in excess of the minimum, but not in excess of the maximum established rate.

6. In the case of an emergency declared by the Town Administrator, the Town may employ emergency employees for a period not to exceed twenty (20) working days.

7. All employees subject to this By-Law shall be entitled to step increases on the anniversary date of their employment until the maximum for their job is attained. In the case of promotion or transfer in job classification, the employee shall be entitled to step increases on the anniversary date of promotion or transfer until the maximum salary for the new classification is obtained.

8. Hereinafter, the employees fulfilling the requirements cited under #1 and #2 of this section of the By-Law shall be referred to as the "Town Employee" or "Employee" in all sections of this By-Law unless duly noted

### SECTION II EMPLOYEE RIGHTS AND REPRESENTATION

1. Coercion: There shall be no discrimination, reprisals, or retaliation taken against the employee due to his/her activity, involvement, assistance in this By-Law by the Town. The Town shall agree there shall be no discrimination, reprisals or retaliation taken against the employee for his/her approbation to the conditions of this Personnel By-Law in its entirety.

2. Discrimination: The Town shall not discriminate against the employee, covered by the provisions of the Personnel By-Law, for reasons of: race, color, religion national origin, ancestry, sex, age, marital status, veteran history or handicap in accordance with applicable laws and regulations in the hiring, promoting, transferring, assigning, suspending, demoting, discharging, and relieving an employee from work.

3. Committee: A five (5) member Committee shall be created by those employees covered by the provisions of the Personnel By-Law for the purpose of reviewing, addressing, and presenting the Personnel By-Law to the Town Administration or his/her designee. The Town shall grant a leave of scheduled work time, without loss of pay or benefits to this Committee and all employees, for two (2) meetings per calendar year, not to exceed four (4) hours each per meeting.

4. The Town shall agree to provide an adequate meeting area for this Committee and all employees covered by this By-Law for the purposes cited in #3 of this section.

5. A written request shall be made by the Committee, at least one (1) calendar week prior to the proposed scheduled meeting date, to the Town.

6. Approval shall not be unreasonably withheld by the Town. Written approval or denial shall be made known and received before three (3) working days of the proposed scheduled meeting, by the Town.

7. Employees, participating under the conditions of Section II, shall not be penalized by loss of pay or benefits and shall not be required to make up such time by the Town.

### SECTION III. CIVIL SERVICE

1. The Town and employees covered by the provisions of the Personnel By-Law shall recognize and adhere to all Civil Service and State Labor Laws, rules and regulations, relative to appointments, promotions,

transfers, assignments, job titles, discharges, demotions, removals and suspensions where such positions and jobs are applicable under Civil Service.

2. All cases where Civil Service and Job Titles are in effect, the Town Administrator will use these classifications and job titles.

SECTION IV. CREDIT UNION

1. Employees of the town shall be allowed to operate, maintain, and participate in a Credit Union incorporated pursuant to Massachusetts General Laws, Chapter 171.

SECTION V. GRIEVANCE PROCEDURE

1. A "Grievance" is hereby defined as a complaint by an employee or group of employees that is based upon an alleged violation of, or an alleged variation from, the provisions of the Personnel By-Law, or the interpretation, meaning, or application thereof, and an aggrieved employee is a person or group of persons making such a complaint through the formally prescribed outline of Section V.

2. All requests for meetings, hearings, replies, extension, decisions, and filing of grievances amongst all parties shall be in the written form.

3. A grievance shall be first presented by the aggrieved employee to his/her immediate supervisor within fourteen (14) calendar days of the incident cited as the grievance. A sincere and serious effort shall be made, by all parties involved, to adjust the grievance at an informal hearing within fourteen (14) calendar days of the filing of the Grievance Form. Said grievance shall be cited, identified and outlined, in writing, on an established Grievance Form.

4. If the grievance is not resolved by the activation of Step #3, the grievance shall then be presented formally to the Town Administrator or his/her designee. The Town Administrator shall have ten (10) calendar days to reply to the grievance.

5. Time periods may be extended, noted in Steps #3 and #4, at the actual agreement of the Town and the employee/committee. Written confirmation as to the extensions taken shall be made known to all parties involved.

6. If the grievance is not resolved by the activation of Step #4, the employee/Committee shall formally notify the Personnel Board requesting a hearing within twenty (20) calendar days after the time period of Step #4 has expired. The Personnel Board shall answer the grievance with ten (10) calendar days after the formal hearing has taken place.

7. The aggrieved employee or group of employees shall reserve the right to be assisted by the Committee, as described in Section II, #3, and legal counsel at any time of the grievance period once Step #3 has been initiated. The employee shall reserve the right to call witnesses, question witnesses, and submit information and evidence to support his/her grievance.

8. Any dispute arising between an employee or group of employees and the Town which is submitted as a grievance for resolution under Section V if such dispute or grievance is a suitable matter for submission to the Massachusetts Civil Service Commission or the Massachusetts Commission Against Discrimination this prerogative may be exercised by the employee and with the assistance of the employee By-Law Committee and legal counsel.

9. Any grievance not presented in writing within the time specified shall be constituted as a waiver.

10. The Town Administrator, his/her designee, shall receive written notification when the time set forth in Step #4 has expired from said employee. The Town Administrator, his/her designee shall be granted under Step #10, an extension of Step #4, for ten (10) additional calendar days in which to respond to the grievance. Failure to comply within the extension cited in Step #10 by the Town Administrator or his/her designee, shall be construed as a favorable decision to the employee or group of employees.

11. The position of Town Clerk, Assistant Town Clerk and Town Accountant shall not derive any benefit from Section V in its entirety.

SECTION VI. DISCIPLINE

1. No employee shall be disciplined, demoted, transferred, reprimanded, or discharged involuntarily except for just cause.

2. Any employee, covered by the provisions of the Personnel By-Law, subjected to actual specific disciplinary action(s) shall and must receive written notification stipulating the specific infraction(s) and the specific action(s) to be taken for such infraction(s).

3. Upon disciplinary actions allegedly not for just cause, the employee may file a claim through Section V of the Personnel By-Law or through the provisions of Civil Service (only for employees where this is appli-

cable), but not both.

4. Written selection of the claim process in Step #3 must be filed with the Town Administrator or his/her designee or Appointing Authority, whichever is applicable and required, within ten (10) business days of receiving written notification in Step #2. The selection of one claim process (Section VI-Step #3 or Civil Service) shall immediately and automatically constitute a waiver of the alternate process.

5. Failure to elect a claim processing in Step #3 within ten (10) business days to the appropriate Town Official, shall constitute a waiver of both Section VI of the Personnel By-Law and Civil Service remedies.

6. The Town shall furnish copy of all correspondence between the employee and employer pertinent to any and all allegations, infractions and disciplinary actions to the employee By-Law Committee accordingly as to the action taken by the Town under Section VI against any employee covered by the provisions of the Personnel By-Law.

7. The Town shall not institute any test program, i.e. alcohol, drug, without prior written notification to all employees and the Committee and approval by the majority of the employees covered by the provisions of the Personnel By-Law.

SECTION VII. REMOVAL AND SUSPENSION

1. As provided for in the Billerica Town Charter under Article 7, Section 7-7, any appointed officer or employee of the town, except the Town Administator, whose removal or suspension is not covered by the provisions of general law or the terms of a collective bargaining agreement, whether appointed for a fixed or an indefinite term, may be suspended or removed from his duties by the appointing authority.

2. The appointing authority when acting to remove or suspend any appointed officer or town employee shall act in accordance with the following procedure:

   (a) A written notice of the intent to remove or to suspend and a statement of the cause or causes therefor, shall be delivered in hand to the officer or employee, or mailed by registered or certified mail to his last known address.
   (b) Within five days following delivery of the said notice, the officer or employee may request a public hearing by submitting, in writing, a request therefor to the appointing authority and personnel board, and by filing a copy of said request in the office of the town clerk and personnel board.
   (c) The personnel board shall hold a public hearing not less than seven nor more than fourteen days following the date of receipt of a request therefor, and shall give not less than five days written notice of such public hearing to the officer or employee affected. The officer or employee shall have a right to be represented by counsel at such hearing, to call witnesses, to examine witnesses and to introduce evidence at the public hearing.
   (d) Not more than fourteen days following the public hearing, or not more than fourteen days following the delivery of the original notice of intent if no public hearing has been requested, the appointing authority shall take final action on the removal or suspension and shall, forthwith, notify the officer or employee of the removal or suspension, or that the notice of intent has been rescinded.

SECTION VIII. RE-HIRING POLICY

1. All employees, covered by the provisions of the Personnel By-Law, effected by layoffs, cutbacks, position eliminations or severe actions shall be considered first relative to the re-hiring process as positions become available within the Town of Billerica. Reasonable and sincere attempts shall be made by the Town to rehire each employee per classification, title and position duties and responsibilities.

2. Civil Service rules and regulations shall apply to those employees, covered by the provisions of the Personnel By-Law, who are covered by Civil Service Laws. This provision shall not be limited to the layoff and rehiring process.

SECTION IX. TERMINATION OF EMPLOYMENT

1. Whenever an employee terminates his/her employment with the Town of Billerica, all benefits associated with cash compensation, which are accumulative in nature, i.e., vacation days, personal days, sick days, shall be paid at the established rate of pay for that time.

2. The employee shall also receive all other pay due at the time of employment termination from the Town.

3. Termination status of employment shall be regarded as:

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| Voluntary separation in good standing, | OR |
| Retirement | OR |

Death

and qualifies the employee for compensation of full and prorated benefits due him/her.

4. All compensation shall be paid to the employee or in the event of his/her death, payment shall be made to the employee's estate.

SECTION X. HOLIDAYS

1. The Town shall agree to the following eleven (11) holidays, which fall on or are observed on regularly scheduled work days, and shall be granted as paid Holidays:

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| New Year's Day | Labor Day |
| Martin Luther King Day | Columbus Day |
| Washington's Birthday | Veteran's Day |
| Patriot's Day | Thanksgiving Day |
| Memorial Day | Christmas Day |
| Independence Day | |

2. Designated Holidays that fall on Sunday, shall be observed on the following Monday and Holidays falling on Saturday shall be observed on the previous Friday.

3. Any employee on an unpaid leave shall not be eligible for Holiday pay during the period covered by the leave.

4. An employee on vacation, shall be granted an additional day of vacation when a designated Holiday occurs during the vacation period.

SECTION XI. PERSONAL DAYS

1. Each employee shall be granted three (3) days off with pay each fiscal year at his/her discretion to conduct personal business. Said days may not be taken on a Holiday. Personal days shall not be accrued and must be taken prior to June 30th of each fiscal year. Loss of said days shall be made if not taken prior to June 30th of each fiscal year. Use of a personal day shall require twenty-four (24) hours notice to the appropriate authority.

SECTION XII. LONGEVITY

1. There shall be established, an annual incentive pay for longevity, payable as part of the employee's base pay, to all eligible employees (working a minimum of 16 hours per week) and shall be prorated according to the normal and established number of hours worked per week or the number of days worked per week, who have completed the required continuous years of service, according to the following rate:

5 Years @ $10.76 per week
10 Years @ $21.14 per week
15 Years @ $31.65 per week
20 Years @ $40.70 per week

and shall be increased within the appropriations provided, and proportionally by any wage/salary percentage granted.

2. Leaves of absence shall not be considered as broken employment. Said time spent on such leave shall not count towards longevity.

SECTION XIII. VACATION

1. The vacation leave shall be accrued by all employees covered by the provisions of the Personnel By-Law, pro-rated according to the normal and established number of hours worked per week or the number of days worked per week, in the following schedule:

| | |
|---|---|
| 5 years of service or less | 2 weeks vacation |
| More than 5 but less than 10 | 3 weeks vacation |
| More than ten years | 4 weeks vacation |

Upon completion of six (6) months of consecutive employment, a newly hired employee may use one (1) of the two (2) weeks vacation.

2. Any employee may accumulate for paid compensation a maximum of thirty (30) vacation days.

3. Vacation time shall have a minimum charge of one-half (1/2) day.

4. Any employee on any type of unpaid leave, for more than forty-five (45) calendar days, shall not be entitled to vacation time until his/her return to work, at which time vacation time will be pro-rated.

5. Any employee, while on vacation for four (4) or more of his/her vacation days, who is required to return to work due to unforeseen emergencies, hearings, etc., shall be granted a replacement vacation day for each or portion of a day he/she is required to return to work.

6. An employee shall be granted a replacement day of vacation, if while on vacation, a holiday occurs during this period.

7. The vacation schedule shall commence on the first day of the fiscal year (July 1st). The employee's origi-

nal employment date with the Town of Billerica shall dictate the manner of vacation weeks the employee is eligible for.

8. Upon separation or termination of employment, the employee shall receive cash compensation of any and all unused vacation leave allowable under Section XIII, not to exceed thirty (30) days, provided the termination status is regarded as: a voluntary separation in good standing or retirement, or death.

9. Upon the death of an employee, his/her pro-rated and accrued vacation days shall be paid to his/her estate.

SECTION XIV. BEREAVEMENT

1. All employees, covered by the provisions of the Personnel By-Law, shall be granted bereavement leave.

2. Such leave shall not be charged as sick or vacation leave.

3. Bereavement leave shall be paid, pro-rated, according to the employee's normal and established number of hours worked per week or the number of days worked per week.

4. In the event of a death of the following, the employee shall be granted five (5) business days bereavement leave without loss of pay or benefits, following the day of death, for: Mother, Father, Spouse, Child of the employee or of the employee's spouse, any other relative residing with the employee, and in the event of a death of a person whereas the employee is solely responsible for all funeral arrangements of the deceased.

5. In the event of a death of the following, the employee shall be granted three (3) business days bereavement leave, without the loss of pay or benefits, following the day of death of, for: Mother/Father-in-law, Grandparents, Grandchild, Brother, Sister of the employee or of the employee's spouse.

6. In the event of a death of the following, the employee shall be granted one (1) business day bereavement leave, without the loss of pay or benefits, following the day of death of, for: Brother/Sister-in-law, Aunt, Uncle, Niece, Nephew, Cousin, and all other relatives of the employee or of the employee's spouse.

7. There shall be no distinction of foster, step, nor half relatives in the determination and consideration of granting the bereavement leave.

8. The employee may be granted an additional three (3) business day extension, without loss of pay or benefits, at the approval of the Town Administrator or his/her designee. Said extension shall only be granted in the event of travel outside the New England States and extreme and extenuating circumstances which the employee shall make known to the Town Administrator or his/her designee.

SECTION XV. RETIREMENT INCENTIVE

1. Early retirement incentive shall, within the appropriation provided, be paid to an employee who has completed at least ten (10) years service with the Town of Billerica and intends to file for regular retirement. The employee must also meet the established requirement of twenty-five (25) hours per week as his/her normal and established work week.

   A. An employee shall receive a ten percent (10%) salary increase if retiring after age sixty (60) but before age sixty-two (62).

   B. An employee shall receive a fifteen percent (15%) salary increase if retiring after age fifty (50) but before age sixty (60).

   C. The percentage increment shall be paid over the last twelve (12) months of employment.

   D. An employee, anticipating retirement, shall notify the Town Administrator, his/her designee, or appointing authority, whichever is applicable, in writing, at least twelve (12) months prior to the proposed retirement date.

   E. An employee shall complete the "Notification of Proposed Retirement and Authorization for Payroll Adjustment Form" and submit copies of such form to the appointing authority, Personnel Board and the Town Treasurer.

2. An employee shall not submit more than one (1) Retirement Incentive Form nor receive more than one (1) Retirement Incentive compensation from the town.

3. An employee, satisfying the requirements of Section XV, shall be granted compensation pursuant to the applicable percentage (10% or 15%) and such compensation shall be increased proportionately by any wage and salary percentage increase that may be granted.

4. An employee remaining in the service of the Town while collecting compensation under Section XVI, after the proposed retirement date, shall have his/

her salary/wages adjusted accordingly to reflect the retirement incentive compensation paid during this retirement notification period.

5. The Town shall adjust the employee's salary/wages to discontinue the retirement incentive pay effective the first business day after the proposed retirement date.

6. Deductions and adjustments in the employee's salary/wages shall be made by the Town, deemed necessary, to recover the incentive paid to the employee, in accordance with an established schedule determined by the Town.

7. Upon the death of said employee, his/her incentive shall be adjusted for the number of weeks worked prior to the event of death with the appropriate incentive percentage and shall be paid to his/her estate.

SECTION XVI. CERTIFICATION AND LICENSES

1. The Town may agree to compensate, within the appropriations provided, all employees who are required by statute, job and employment qualifications and requirements or combinations thereof, to maintain active and "in good standing" status of such certification, license requirements, and any and all other necessary professional fees.

SECTION XVII. MILITARY DUTY

1. All employees, covered by the provisions of the Personnel By-Law, who are called for State or Federal Military Training Forces, shall be paid any difference in compensation between that drawn in the normal and established work period of two (2) weeks in their regular Town employment and the total compensation, excluding travel time, of the Military Duty.

2. Such compensation shall not exceed two (2) weeks in a calendar year, and shall not include compensation to members of the National Guard who may be mobilized during an emergency in the Commonwealth.

SECTION XVIII. MILITARY SERVICE

1. All employees covered by the provisions of the Personnel By-Law, shall be granted a military leave of absence without pay when called involuntarily to active duty with the State or Federal Armed Forces for the purpose other than routine annual tour of duty for training purposes.

2. The Town shall agree that the employee's seniority rights shall not be affected while his/her leave of absence for said leave is in effect.

SECTION XIX. JURY DUTY

1. All employees, covered by the provisions of the Personnel By-Law, shall receive the amount equal to the difference between his/her normal compensation and the amount received from the Court.

2. These provisions shall not make compensation to the employee for travel time.

SECTION XX. MILEAGE

1. All employees, covered by the provisions of the Personnel By-Law, shall receive compensation for the use of his/her vehicle in the performance of their established and official duties and responsibilities for the Town of Billerica. Said compensation shall be paid at the rate equal to the amount the Federal Government allows for business mileage deductions in tax forms.

SECTION XXI. INSURANCE

1. All employees, covered by the provisions of the Personnel By-Laws, shall be eligible to participate in the Contributory Group Life, Accident, Hospitalization and Medical and Surgical Insurance Plan - as defined Chapter 32B, plan adopted by townspeople by vote at the Annual Town Meeting of March 1958 one (1/2) to be paid by the employee.

2. Eligibility for such participation shall be at the established requirement of the employee to work a minimum of twenty (20) hours per week.

3. In the event an employee is absent due to conditions cited in Section XXIII, Step #8, the Town shall agree to pay the employees' medical insurance up to thirty (30) working days. Such employee shall be required to reimburse the Town in a period not to exceed thirty (30) working days.

SECTION XXII. MATERNITY AND ADOPTION LEAVE

1. The Town shall grant to all employees covered by the provisions of the Personnel By-Law, Maternity leave in accordance with the Massachusetts General Laws, Chapter 149, Section 105D. Furthermore,

the provisions adopted in Chapter 318 of the Acts of 1989 under the maternity leave statute shall be granted for Adoption leave.

SECTION XXIII. SICK DAYS AND SICK LEAVE

1. All employees, covered by the provisions of the Personnel By-Law, shall be granted fifteen (15) working days and shall be prorated, according to the employee's normal and established number of hours worked per week or the number of days worked per week, as the sick day allotment per fiscal year. Accumulation shall be unlimited.

2. All new employees, shall accrue but not draw compensation for sick days during the probationary period of six (6) months.

3. Any employee, terminating his/her employment with the Town of Billerica under the conditions of: voluntary separation in good standing, or retirement, or death shall receive compensation in cash in an amount equal to a maximum of seventy (70) days for any unused and accrued sick days.

4. All compensation in cash due the employee, shall be made in accordance with Section IX (Termination of Employment) of the Personnel By-Law, in its entirety.

5. Paid sick days shall be considered as time worked.

6. All employees shall notify his/her department or the appropriate authority of the illness within a reasonable time before the start of the work day.

7. Upon notification of using a sick day, the employee shall be at home, hospital, physician/dentist/medical professional's office or enroute to such facility. Failure to be in one of the aforementioned locations shall be considered an unauthorized sick day and an abuse of the sick day benefit

8. Sick leave shall be granted for sickness, injury or absence due to quarantine.

9. Employees shall receive compensation payment for sick leave only for the number of accrued unused sick days accumulated.

10. All compensation in cash due the employee on sick leave, shall be made in accordance to Section IX (Termination of Employment) in its entirety.

11. Paid sick leave shall be considered as time worked.

12. All employees, covered by the terms and provisions of the Personnel By-Law, utilizing sick leave for five (5) consecutive working days, or more, shall be required to provide a Medical/Dental/Professional's certificate to the appropriate authority within two (2) days of returning to work.

13. Any employee shall be required to notify the appropriate authority and his/her department that he/she shall be on sick leave prior to the start of the working day, establish an approximate leave period, and approximate return date. Said employee shall be accessible to his/her department and/or the appropriate authority. Exceptions shall be considered, but not limited to, hospitalization, enroute to medical/dental facilities, therapy, for the inaccessibility to the appropriate authority or department.

14. Sick leave benefits shall cease if a medical/dental/professional certificate is not presented documenting the reason(s) for such leave upon the request of the appropriate authority.

SECTION XXIV. LEAVE OF ABSENCE

1. All employees, covered by the provisions of the Personnel By-Law, may be granted a leave of absence.

2. Said leave of absence shall be considered as time the employee leaves his/her position for any specific reason(s) in which he/she is not receiving any salary/wages or benefits from the Town.

3. A leave of absence may be granted for a three (3) month period. An extension, not to exceed six (6) months, or any portion thereof, may be granted by written notification to and approval of, the Town Administrator, stating the specific reason(s) why such leave or extension is requested.

   Such leave time shall not be considered as broken employment. Said leave time period shall not be considered as time worked towards any benefit drawing compensation, until the employee returns to work.

SECTION XXV. ACCIDENTS-OCCUPATIONAL

1. All employees, covered by the provisions of the Personnel By-Law, who are unable to perform his/her duties due to an industrial accident while performing the duties and responsibilities associated with his/her position, shall receive compensation in accordance with the Massachusetts General Law, Chapter 152.

2. In the event of an industrial/occupational accident, an employee shall notify the appropriate authority with forty-eight (48) hours after such event occurs.

3. An employee shall not be impeded by the Town from his/her rights under the Workman's Compensation Act.

SECTION XXVI. WORK WEEK

1. The work week shall be defined as five (5) consecutive seven and one-half (7 1/2) hour days, Monday through Friday, inclusive.

2. Work week exceptions shall include, but not limited to, departments with earlier/later starting hours, earlier/later closing hours, and weekend hours.

3. The normal established work week, in accordance with Step #2, shall consist of seven and one-half (7 1/2) consecutive hours with-in the twenty-four (24) hour period. Each employee, covered by the provisions of the Personnel By-Law, shall be scheduled to work a period of regular starting and quitting time. Exceptions and variations would have been a condition of employment or have been mutually agreed and established upon by said employee and the Town.

4. Any employee not receiving overtime compensation and working additional hours outside his/her normal and established work hours and requirements/conditions of the position, may be granted time off by the appointing authority.

SECTION XXVII. SHIFT DIFFERENTIAL

1. All employees, covered by the provisions of the Personnel By-Law, shall be eligible to receive shift differential compensation.

2. Any employee, whose normal and established work time begins on or after 4 P.M. but does not exceed twelve midnight, shall receive an additional 5% of his/her basic rate to the end of his/her work period.

3. Any employee, whose normal and established work time begins on or after twelve midnight, shall receive an additional 7% of his/her basic rate to the end of his/her work period.

SECTION XXVIII. PERSONNEL RECORDS

1. An employee or designated representative, covered by the provisions of the Personnel By-Law, may request and review any and all records maintained by his/her department, Personnel Board, Town Administrator's Office, Board of Selectmen's Office, and any other Town Agency or department during normal and established working hours or upon request to the applicable department/agency.

2. Any correspondence, other than established employment forms, shall not be entered into the employee's personnel file or any other Town department/agency files, unless said employee is informed by written notification of said entry.

Submitted by Richard Young, Chairman, By-Law Review Committee

**ARTICLE 36:**

To see if the Town will delete Article 15 of the General By-Laws;

or act in relation thereto.

Submitted by Richard Young, Chairman, By-Law Review Committee

**ARTICLE 37:**

To see if the Town will delete Article 18 of the General By-Laws in its entirety;

or act in relation thereto.

Submitter by Richard Young, Chairman, By-Law Review Committee

**ARTICLE 38:**

To see if the Town will delete Article 26 of the General By-Laws;

or act in relation thereto.

Submitted by Richard Young, Chairman, By-Law Review Committee

**ARTICLE 39:**

To see if the Town will add the following to Article 2 of the General By-Laws:

E. All business establishments requiring a licens shall receive approval of their operating hour from the licensing authority.

F. The Selectmen shall establish the fee for Automatic Amusement Device Licenses not to exceed $100.00 per machine.

or act in relation thereto.

Submitted by Richard Young, Chairman, By-Law Review Committee

**ARTICLE 40:**

To see if the Town will delete Article 21 of the General By-Laws and make it Article 23, Section G;

or act in relation thereto.

Submitted by Richard Young, Chairman, By-Law, Review Committee

**ARTICLE 41:**

To see if the Town will delete Article 16 of the General By-Laws, and make it Article 6, Section 26 of the General By-Laws;

or act in relation thereto.

Submitted by Richard Young, Chairman, By-Law Review Committee

**ARTICLE 42:**

To see if the town will vote to amend the General By-Laws, Article 1: Amendment to Billerica General By-Laws, Article 1

SECTION 4B Annual Town Meeting - Order of Articles

The annual Town Meeting shall act, in such order as shall be prescribed by the Board of Selectmen, upon the following matters prior to acting upon any other warrant articles...

1. Committee Reports and any action thereon
2. For purpose of paying unpaid bills
3. To authorize the borrowing of monies in anticipation of revenue or to renew any notes
4. To appropriate monies for expenses of the Town and Salaries of Town Officers and Departments and determine how same shall be raised
5. To appropriate monies for capital expenditures

SECTION 4C

All other articles in said warrant shall be enumerated by the Board of Selectmen, provided however that at the Annual Town Meeting, the number of each such article shall be placed in a container and the Town Moderator shall draw a number and as each number is drawn, that article shall be presented to the Town Meeting for action, and further provided, however, that certain articles which are in sequence and related to each other whereby the passage of one article is dependent upon the action taken on another article may be taken as one drawing for action. Except as herein provided no article shall be acted upon out of the order as drawn by the Town Moderator.

SECTION 4D

All warrant articles for a Special Town Meeting shall be enumerated by the Board of Selectmen. The number of each article shall be placed in a container and the Town Moderator shall draw a number and as each number is drawn, that article shall be presented to the Special Town Meeting for action as provided in Section 4C of Article 1 above;

or act in relation thereto.

submitted by the Rules Committee

**ARTICLE 43:**

To add new sections to the General By-Laws to become section 5.5C and D to read as follows:

C. All numbers shall be posted at a conspicuous location on the structure so as to be completely visible from the street, and shall be at least three inches in height.

D. No occupancy permit shall be granted unless building numbers as specified under C have been posted;

or act in relation thereto.

Submitted by Ralph M. Krau, Chairman, Board of Selectmen

**ARTICLE 44:**

To see if Town Meeting will direct the Town Manager (if required, via the Selectmen) to adhere to state law 64A:13(c) as provided in Section 31 of Chapter 81, with reference to the disposition of monies received from the Commonwealth of Massachusetts from the collection of gasoline taxes. Specifically, all monies received via the Cherry Sheet on line "Section 31, Chapter 81" must be used solely for road construction, reconstruction and improvements;

or act in relation thereto.

Submitted by Richard D. Tracey, Jr., Petitioner and Messrs. Newman, Rabidou, Flavin, Spencer, Strazzere, Jr., Columbus, and Madames Spencer, Newman and Tracey

**ARTICLE 45:**

To see if the Town will vote to amend Article 18, of the General By-Laws, Sign Regulations, by adding Section 18.6 - Political Signs.

18.6 No political signs shall be erected in the Town of Billerica until 30 days before the scheduled election except successful candidate(s) shall be allowed to have his/her political signs remain standing through the general election;

or act in relation thereto.

Submitted by Lawrence R. Norman, Petitioner and Madames Norman, Brown, O'Rourke, Morris, Altobelli, Lothian, Nolan, Chronister and Norman.

**ARTICLE 46:**

To see if the Town will vote to amend the Zoning By-Law as follows:

1. Amend section 5.7.4.A by adding the phrase "(see definition of private garage under section 2.16.1)"

2. Add the following to become section 2.16.1:

   2.16.1 GARAGE, PRIVATE: A garage for four or less passenger motor vehicles without provisions for repairing or servicing such vehicles for profit. A private garage shall be limited to a maximum gross floor area of 800 sq. ft. and the door entrance shall be no more than eight (8) feet in height. When calculating the gross floor area of an unattached private garage structure all the floor area within such structure shall be considered in the calculation;

or act in relation thereto.

Submitted by the Planning Board

**ARTICLE 47:**

To see if the Town will vote to amend the Zoning By-Law as follows:

1. Add a new subsection 3.1.7 to read:

   3.1.7 RESIDENTIAL CLUSTER OVERLAY DISTRICT

2. Amend subsection 5.12.I.1, 5.12.I.2 and 5.12.I.3 as follows:

   1. The application shall not be submitted prior to the approval of a conventional preliminary subdivision plan in accordance with the Rules and Regulations of the Planning Board governing the subdivision of land. Such plan shall provide satisfactory evidence that the number of lots that could otherwise be developed. Each conventional lot must have enough non-wetland area to site a dwelling. A second preliminary plan showing the proposed cluster plan shall also be submitted along with the previously referenced conventional preliminary plan.

   2. Filing of Application
      An application for the granting of a special permit by the Planning Board to approve a Cluster Residential Development shall be filed with the Board, with a copy filed forthwith with the Town Clerk, and shall be accompanied by the requisite number of definitive subdivision plans for the entire tract under consideration, prepared by a registered professional architect, engineer or landscape architect.

   3. Said application and plan shall be prepared in accordance with the requirements for a definitive subdivision plan in the Rules and Regulations of the Planning Board governing subdivision of land, and shall include proposed location, bulk and height of all proposed buildings;

or act in relation thereto.

Submitted by the Planning Board

**ARTICLE 48:**

To see if the Town will vote to amend 5.12.D.5 of the Zoning By-Laws to read:

5. Within the Residential Cluster Overlay District no residence, temporary structure, driveway, accessory structure, swimming pool, parking area, filling, paving or fencing shall be located within one hundred (100) feet of the perimeter of the applicable Residential Cluster Overlay District. Utility easements or roadways cutting through this 100 feet shall be expressly approved by the Planning Board's Special Permit Decision. All such areas shall be maintained in their natural state;

or act in relation thereto.

Submitted by the Planning Board

**ARTICLE 49:**

To see if the Town will vote to amend 5.12.G.2 of the Zoning By-Laws to read:

2. The minimum required open space area may contain ponds, marshes, or other protected wetlands, but only in the same or less proportion as is located on the residential lots;

or act in relation thereto.

Submitted by the Planning Board

**ARTICLE 50:**

To see if the Town will vote to amend the Zoning By-Laws from an Industrial District to a Village Residential with a Cluster Residential Overlay District the whole or any part of land owned by William E. McCarthy on Cook Street in said Town bounded and described as follows:

**LOT A**

Beginning at the Northeast corner of Lot A and running

S 06 degrees -48' 52"E, 1,705± feet
Thence: S 83 degrees -11' -08"W 300.00 feet
Thence: S 06 degrees -48' -52"E, 352.81 feet
Thence: by a curved line, radius 50.00 feet and length 63.43 feet
Thence: by a curved line, radius 851.79 feet and length 155.91 feet
Thence: by a curved line, radius 60.00 feet and length 101.40 feet
Thence: N 06 degrees -48' -52W, 471.37 feet
Thence: S 83 degrees -11' 08"W, 550.00 feet
Thence: S 06 degrees 48' -52"E, 115.59 feet
Thence: S 77 degrees -28' -37"W, 273.79 feet
Thence: S 22 degrees -54' -23"E, 414.07 feet
Thence: S 73 degrees -23' -04"W, 161.78 feet
Thence: N 34 degrees -59' -43"W, 170.82 feet
Thence: N 30 degrees -30' -49"W, 24.08 feet
Thence: N 32 degrees -36' -06"W, 24.31 feet
Thence: N 36 degrees -12' -46"W, 53.99 feet
Thence: N 34 degrees -22' -26"W, 86.31 feet
Thence: N 35 degrees -23' -16"W, 93.01 feet
Thence: N 30 degrees -36' -06"W, 33.08 feet
Thence: N 42 degrees -27' -41"W, 58.40 feet
Thence: N 51 degrees -36' -30"W, 79.18 feet
Thence: N 38 degrees -23' -03"E, 400.00 feet
Thence: N 51 degrees,-36' -30"W, ±500.00 feet
Thence: along edge of Shawsheen River 2,500± feet to the point of beginning.

Said lot contains 44.3± acres:

or act in relation thereto.

Submitted by: William A.Cooke, Petitioner and Messrs. Cooke, Murphy, Annese, Lucacio, Lucacio, Kemp, Shields and Madames Murphy and Lucacio.

**ARTICLE 51:**

To see if the Town will vote to amend the Zoning By-Laws and re-zone from a Neighborhood Residence District to Garden Style Apartment and Town District the whole or any part of land owned by the heirs of Phyllis C. Farmer, being Plate 61, Lots 189, 190, 191 and 192 on Tower Farm Road, Billerica, MA in said Town bounded and described as follow:

Those certain parcels of land in Billerica, Middlesex County, Mass. being shown as Lots 269, 270, 271 and 1 on a plan entitled, "Tower Farm Estates A definitive Subdivision Plan of Land Billerica, Mass. Owned by Sampson & Assoc. recorded with the Middlesex North District Registry of Deeds on March 9, 1970, in Plan Book 110, Plan 42, to which plan reference may be had for a complete and accurate description of the premises. Lot 269 contains 25,289 square feet, more or less according to said plan. Lot 270 contains 25,018 square feet, more or less according to said plan. Lot 271 contains 25,295 square feet, more or less, according to said plan. Lot 1 contains 25,003 square feet, more or less, according to said plan;

or act in relation thereto.

Submitted by Marion Wilson, Petitioner and Messrs. Silva, Cates, Wood and Madames Wilson, Wood, Scully, Crear, Wrobel and Flynn.

**ARTICLE 52:**

To see if the Town will vote to amend the Zoning By-Laws by re-zoning from an Industrial District to a Wood Processing District the whole or any part of land owned by C. A. Realty Corporation off Rangeway Road known as Assessor's Map 20, Parcel 4 in said Town bounded and described as follows:

**EXHIBIT "A"**

The land in Billerica, Middlesex County, shown on a plan recorded in Middlesex North District Registry of Deeds in Plan Book 150, Plan 137, entitled "Compiled Plan of Land in Billerica, MA" proposed for Rangeway Road Investors Project Limited Partnership, Sept.1985, Fleming, Bienvenue & Assoc., Inc., Engineers and Surveyors. Said land contains 18.24 acres, more or less according to said plan and is bounded and described as follows:

Beginning at the northeast corner of said parcel, on the Chelmsford-Billerica town line, twenty-five (25) feet southwest from a found stone bound, as shown on said plan;

Thence S 57 degrees 58' 45"E, a distance of one thousand sixty-seven and 88/100 (1,067.88) feet to a point;

Thence S 32 degrees 17' 08"W, a distance of seven hundred seventeen and 42/100 (717.42) feet to a point;

Thence N 60 degrees 53' 04"W, a distance of one thousand sixty-seven and 88/100 (1,067.88) feet to a point on the Chelmsford-Billerica town line;

and

Thence N 32 degrees 09' 54"E, along said town line, a distance of seven hundred seventy-one and 54/100 (771.54) feet to the point of beginning;

or act in relation thereto.

Submitted by Stephen J. Lentine, Petitioner and Messrs. Hoar, Doyle, McDowell, Fraine, Bone and Madames Doyle, Rossetti, Bone and Corsano.

**ARTICLE 53:**

To see if the town will vote to amend the Zoning By-Laws by adding Section 5.14 to read:

5.14 WOOD PROCESSING DISTRICT

A. **Purpose:** This section is to provide for the development of wood processing facilities to receive clean, non-polluted wood related products such as brush, stumps, wood pallets, leaves, branches, yard trimmings, wooden furniture and other clean wood and process same into mulch for wholesale and retail sale at the facility to landscapers, nurseries, municipalities, consumers and others. Equipment at the site may be stored outdoors and materials at the site may be both stored and sold outdoors.

B. **Area, Frontage and Yard Space Requirements:** The site shall contain a minimum area of fifteen (15) acres and a minimum frontage of thirty (30) feet or have an access easement of thirty (30) feet to a street, road, or way as defined under Article 2.50 of these Zoning By-Laws. There shall be provided an open yard space of one hundred (100) feet depth along the front property line and not less than fifty (50) feet depth along the rear property line.

C. **Building Height Restrictions:** Buildings shall not exceed two (2) stories in height.

D. **Green Strips:** A minimum twenty (20) foot green strip except for curb cuts as specified in Section 12, will be required and maintained along no less than eighty percent (80%) of the perimeter of each lot.

E. **Green Space:** Twenty-five percent (25%) of the lot shall be set aside as a green space which cannot be used for driveways, roadways, parking areas, paved areas or materials storage of any sort.

F. **Signs:** All signs on a lot shall be in conformity with those specified for "Business Districts" under Section 16 of the Zoning By-Law;

or act in relation thereto.

Submitted by Stephen Lentine, Petitioner and Messrs. Hoar, Doyle, Noonan, McDowell, Fraine, Bone and Madames Doyle, Rosseta and Bone.

**ARTICLE 54:**

To see if the Town will vote to amend the Zoning By-Laws and Zoning Map of the Town by rezoning from an Industrial District to a General Business District the whole or part of land owned by Susannah Caporale, Trustee of 181 High Street Realty Trust on High Street, Billerica, bounded and described as follows:

**LOT #1**

Beginning on the southeasterly side of High Street, so-called at a spike at land of Johns Manville Products Corporation of Massachusetts at the northwesterly corner of the premises; thence running by said last mentioned land South 72 degrees 45 feet 24 inches East one hundred fifty and 00/100 (150.00) feet said course being the center line of a private way twenty (20.00) feet in width shown and indicated on said plan as "20 Ft. Way"; thence turning and running South 11 degrees 01 feet 10 inches West by Lot #2 three hundred thirty-four and 63/100 (334.63) feet; thence turning and running North 48 degrees 04 feet 31 inches West by land of the Torngren Company, a division of Standex International Corporation as shown on said plan two hundred fifty-seven and 59/100 (257.59) feet; thence turning and running North 29 degrees 13 feet 40 inches East by said High Street two hundred thirty and 11/100 (230.11) feet to the point of the beginning.

Containing 1.24 acres according to said plan.

**LOT #2**

Beginning on the northeasterly side of Lot #1 at the point beginning Lot #2 as shown on said plan; thence running by land of Johns Manville Products Corporation of Massachusetts on two (2) courses as follows: South 72 degrees 45 feet 24 inches East ninety-three and 93/100

(93.93) feet and South 85 degrees 07 feet 44 inches East fifty-six and 07/100 (56.07) feet said last two (2) courses being the center line of a private way twenty (20) feet in width, shown on said plan as "20 ft. Way"; thence turning and running South 10 degrees 06 feet 03 inches West three hundred fourteen and 41/100 (314.41) feet 03 inches West three hundred fourteen and 41/100 (314.41) feet by said land of Torngren Company, a division of Standex International Corporation as shown on said plan; thence turning and running by said last mentioned land North 84 degrees 56 feet 05 inches West one hundred fifty-five and 00/100 (155.00) feet; turning and running by Lot #1 North 11 degrees 01 foot 10 inches East three hundred and thirty-four and 63/100 (334.63) feet to the point of beginning. Containing 1.12 acres according to said plan.

Submitted by: Leonard Caporale, Petitioner and Messrs. MacDonald, Dundey, MacDonald, Celeste and Madames MacDonald, MacDonald, MacDonald, Caporale and Vaughn.

And you are hereby directed to serve this Warrant by posting true and attested copies thereof, one copy at the East Billerica Fire Station; one copy at the Ninety-Nine Restaurant, Lexington Road; one copy at the Pizza Hut, Boston Road; one copy at the Nutting Lake Post Office; one copy at the North Billerica Post Office; one copy at Jim's Automotive/Fahey's Gulf Station, Nashua Road; one copy at Fleet Bank, Boston Road; one copy at the Center Post Office, Boston Road; one copy at the Pinehurst Fire Station; one copy at the North Billerica Fire Station; one copy at the Town Hall, Boston Road; and one copy at the Billerica Public Library.

Given under our hands this twenty-seventh day of September, 1994.

Board of Selectmen
S/Ralph M. Krau, Chairman
S/James F. O'Donnell, Vice-Chairman
S/Edward J. Hurd, Secretary
S/Arthur L. Doyle
S/Brion M. Cangiamila

A True Copy
ATTEST:
S/David R. Lasky
Constable, Town of Billerica

September 27, 1994

Mrs. Evelyn M. Haines
Assistant Town Administrator
Town Hall
365 Boston Road
Billerica, MA 01821

Dear Mrs. Haines:

I have posted the Warrant for the Fall Town Meeting to be held on Tuesday, October 4, 1994, at 7:30 p.m. at the Maurice A. Buck Memorial Auditorium, 365 Boston Road, Billerica, MA at the following locations:

East Billerica Fire Station
Ninety-Nine Restaurant, Lexington Road
Pizza Hut, Boston Road
Nutting Lake Post Office
North Billerica Post Office
Fleet Bank, Boston Road
Center Post Office, Boston Road
Pinehurst Fire Station
North Billerica Fire Station
Town Hall
Billerica Public Library, Concord Road
Jim's Automotive/Fahey's Gulf Station

Signed:
S/David R. Laskey
Constable, Town of Billerica

# ANNUAL FALL TOWN MEETING
# OCTOBER 4, 1994

## MAURICE A. BUCK MEMORIAL AUDITORIUM

Prior to the start of Town Meeting, Moderator Sullivan appointed the following tellers who were sworn in by Town Clerk Shirley E. Schult: Dorothy Callihan, Karen Miller, Richard White and Rita McKenny.

A Quorum count was taken. With one hundred twenty-one (121) Town Meeting Members present, the Annual Fall Town Meeting was declared in session at 7:41 P.M.

The invocation was given by the Rev. Kenneth Evitts, Pastor of the Community Congregational Church in Pinehurst. This was followed by the Billerica Memorial High School Chorus' rendition of "The Star Spangled Banner" and a moment of silence in memory of the following persons who had served the Town: Michael Amoroso, deceased July 6, 1994, School Crossing Guard Supervisor 1973-1994; William Archambault, deceased January 16, 1994, Billerica School System, 1954-1958 and 1964-1983; Milan Burgess, deceased July 24, 1994, Water Department 1961-1988; Philip Frank, deceased March 30, 1994, Elementary School Teacher 1963-1994; Mary Khirella, deceased August 27, 1994, Election Officer; Anna Hopkins, deceased February 3, 1994, Billerica Teacher 1953-1978; George Hureau, deceased August 29, 1994, Council for Aging 1989-1990; Suzanne McCarthy, deceased August 10, 1994, Town Meeting Member 1988-1992, School Committee Member 1972-1976; Mildred E. Meagher, deceased February 8, 1994, Election Officer; Mary Morris, deceased July 20, 1994, Town Meeting Member 1980-1984, Election Officer; Alden Rollins, deceased August 4, 1994, Assessor 1947-1948, Principal Assessor 1949-1955; and Mary C. Newman, deceased July 5,1994, Billerica School System 1973-1979.

Following the memoriams, the High School Chorus, under the direction of Suzanne Robertson and accompanied by Jeff Gage, sang selected melodies from "The Beast and the Children".

Moderator Sullivan moved the following resolution: "Be it Resolved that the name of DEREK O'BRIEN be placed in the record of the 1994 Annual Town Meeting in recognition of his service to the Community of Billerica. Be it further Resolved that DEREK O'BRIEN be commended for his design of the 1993 Town Report Cover. Offered this fourth day of October, 1994." This was seconded and so VOTED. Selectman Krau presented Derek O'Brien, a Senior at Shawsheen Tech High School, with a $50.00 bond in appreciation of his contribution.

It was so moved, seconded and VOTED to accept the Warrant as duly served by the Constable.

It was moved, seconded and VOTED to dispense with the reading of the articles in the Warrant.

**ARTICLE 1:**

Selectman Hurd moved to act upon all reports. Seconded. Moderator Sullivan listed the Committee, Boards and Commission reports included in the Town Report. It was moved, seconded and VOTED to accept all reports as printed in the warrant.

The following reports were given and acted upon.

**BOWERS FUND COMMITTEE** - A report was given by Michael Rea, Jr., Chairman. It was moved, seconded and VOTED to accept the report. Selectman Doyle moved to appoint Michael Rea, Jr. to the Bowers Fund. Seconded. So VOTED.

**BY-LAW REVIEW COMMITTEE** - Committee Chairman Richard Young gave the report. It was moved, seconded and VOTED to accept the report.

**BETTERMENT COMMITTEE** - No report. It was moved, seconded and VOTED to keep the Committee intact.

**FARM ANIMAL COMMITTEE** - No report. It was moved, seconded and VOTED to keep the Committee in tact.

**HANDICAP COMMISSION** - No report. It was moved, seconded and VOTED to keep the Committee in place.

**IN-HOUSE LEGAL COUNSEL STUDY COMMITTEE** - Committee Chairman Ellen Rawlings gave the report. It was moved, seconded and VOTED to accept the report and to continue the Committee.

**MAPPING COMMISSION** - No report. It was moved, seconded and VOTED to keep the Committee intact.

**PERSONNEL BOARD** - No report. It was moved, seconded and VOTED to keep the Board intact.

**PRIVATIZATION COMMITTEE** - No report. It was moved, seconded and VOTED to keep the Committee intact.

**SCHOLARSHIP FOUNDATION** - The report was given by Ellen Rawlings. It was moved, seconded and VOTED to accept the Committee report.

**TOWN FOREST COMMITTEE** - No report. It was moved, seconded and VOTED to keep the Committee intact.

**GROWTH MANAGEMENT COMMITTEE** - No report. It was moved, seconded and VOTED to keep the Committee intact.

**MUSEUM COMMITTEE** - A report was given by Committee Chairman Gordon C. Brainerd. It was moved, seconded and VOTED to accept the Committee report

**TOWN MEETING ACTION COMMITTEE** - Chairman Bernie Hoar gave the report. It was moved, seconded and VOTED to accept the Committee report.

**ARTICLE 2:**

Selectmen Hurd moved to dismiss Article 2. Seconded.

Finance Committee concurred. The motion to dismiss CARRIED.

**ARTICLE 3:**

Bernard Hoar, Chairman of the Water & Sewer Study Committee, gave the Committee report. It was moved, seconded and VOTED to accept the report.

Rep. Hoar moved to amend Article 37 of the 1994 Annual Spring Town Meeting by replacing the reporting date of the Water & Sewer District Study Committee from January 1, 1995 to the 1995 Annual Fall Town Meeting with an update to be provided at the 1995 Spring Town Meeting. Seconded.

The motion CARRIED.

**ARTICLES 4, 5,6 AND 7:**

It was moved to postpone action on Articles 4, 5, 6, and 7 until the last, the second from the last, third from the last and fourth from the last orders of business of this Town Meeting respectively. Seconded

The motion to postpone CARRIED.

**ARTICLE 8:**

Selectman Hurd moved that $2,500,000 be appropriated for improvements to the Town's water treatment and distribution system, including analysis of the town's water supply; the purchase, replacement or rehabilitation of water department equipment, including generator and electrical equipment at the water treatment plant; the laying and relaying, lining and relining and extension of water mains; and all engineering and other costs incidental thereto; that to meet his appropriation the Treasurer with the approval of the Selectmen is authorized to borrow $2,500,000.00 under G.L. c.44,s.8; that the Selectmen are authorized to contract for and expend any federal or state aid available for the project; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project. Seconded.

The Town Administrator stated that this money would be used for improvements to the treatment system to correct (1) the brown water problem (2) distribution system and (3) provide emergency back-up power system for the water treatment plant.

Much discussion ensued.

Rep. Dampolo moved the question. Seconded. Motion to end debate CARRIED unanimously.

The motion as presented CARRIED unanimously.

**ARTICLE 9:**

Rep. Cavicchio moved to amend the vote passed under Article 26 at the 1993 Annual Spring Town Meeting to read as follows: "Voted: That $1,200,000.00 be appropriated for reconstruction and making extraordinary repairs to public school buildings, including without limitation the Marshall School and the Billerica Memorial High School, consisting of the replacement of all or a portion of the roofs of such schools; that to meet his appropriation the Treasurer with the approval of the Selectmen is authorized to borrow $1,200,000.00 under the G.L. c.44, 7 or Chapter 645 of the Acts of 1948 as amended; and that the School Committee is authorized to take any other action necessary to carry out this project." Seconded.

Finance Committee concurred.

The motion as presented CARRIED unanimously.

**ARTICLE 10:**

Rep. Cavicchio moved to dismiss Article 10. Seconded.

The motion to dismiss CARRIED.

**ARTICLE 11:**

Rep. Ralph McDonald moved to transfer from the Sale of Lots Account $100,000.00 to repair and improve the roadways and entrances to the Fox Hill Cemetery. Seconded.

Finance Committee concurred.

The motion as presented CARRIED unanimously.

**ARTICLE 12:**

Selectman Hurd moved Article 12 as the 5th from the last order of business at this Town Meeting. Seconded.

The motion to postpone CARRIED.

**ARTICLE 13:**

Selectman Hurd moved that Article 13 be the sixth from the last order of business at this Town Meeting. Seconded

The motion to postpone CARRIED.

**ARTICLE 14:**

Selectman Hurd moved to transfer the sum of $20,000.00 from the Billerica School Department to the Billerica Police Department Personnel Account to fund the Billerica D.A.R.E. Program. Said transfer not to take effect until the D.A.R.E. officer is hired. Seconded.

Finance Committee concurred.

Slight discussion ensued when Rep. Rossetti moved the question. Seconded. The motion to end debate CARRIED unanimously.

The motion as presented CARRIED.

**ARTICLE 15:**

Rep. Young moved to form a D.A.R.E. Advisory Committee as follows:

A D.A.R.E. Advisory Committee shall be established to support and advise the D.A.R.E. Officer. The committee shall consist of twelve (12) regular members and as many alternate members as needed, who shall be appointed for a term of two (2) years, and one (1) ex-officio member. the regular members shall be appointed as follows:

(1) Six (6) members to be appointed by the Superintendent of Schools who are parents of elementary grade school children at the time of their appointment.

(2) Six (6) members to be appointed by the Town Administrator, three (3) of which shall be members of Town civic organizations and three (3) of which shall be residents of or business men in the Town.

The D.A.R.E. Officer shall be the ex-officio voting member.

Alternate Members shall be appointed by majority vote of the committee.

Terms shall be evenly staggered.

There shall be a Chairman, Vice-Chairman and Secretary elected from the regular members.

Finance Committee concurred.

The motion as presented CARRIED.

**ARTICLE 16:**

Selectman Hurd moved to make Article 16 the seventh (7) from the last order of business at this Town Meeting. Seconded.

The motion to postpone CARRIED.

**ARTICLE 17:**

Selectman Hurd moved to authorize the Selectmen to file legislation to exempt the position of Local Inspector from the provisions of M.G.L., Chapter 31, Civil Service. Seconded.

Finance Committee concurred.

Rules Committee concurred.

With one hundred seven (107) in favor and twenty-one (21) opposed, the motion CARRIED.

**ARTICLE 18:**

Selectmen Hurd moved to amend Article 7, October 5, 1993, Special Town Meeting by adding after the words, Old Billerica Town Hall, the words, Old Billerica Police Station, and furthermore that the Town vote, pursuant to the requirements of M.G.L. Chapter 4, Section 3 and the provisions of the Billerica Home Rule Charter, to authorize a long-term lease agreement between the Billerica Historic Preservation Corporation, the Town Administrator and the Board of Selectmen, for the use of the Old Billerica Town Hall, Old Police Station. Said term of the lease should be for a minimum of thirty (30) years with two, ten (10) year renewable options thereto. Seconded.

Finance Committee concurred.

Rules Committee concurred.

After slight discussion, the motion as presented CARRIED.

Rep. Brainerd moved to adjourn until Thursday, October 6, 1994 at 7:30 P.M. Seconded. The motion to adjourn CARRIED. The first session of the Annual Fall Town Meeting adjourned at 10:02 P.M.

A True Copy
ATTEST:

Shirley E. Schult, CMC, CMMC
Town Clerk

## ANNUAL FALL TOWN MEETING
## OCTOBER 4, 1994

## MAURICE A. BUCK MEMORIAL AUDITORIUM
## SECOND SESSION - OCTOBER 6, 1994

Prior to the start of Town Meeting, Louise French was appointed as teller and sworn in by Town Clerk Shirley Schult.

Precinct 4 held a caucus. Alden S. Ward, 9 Kenmar Drive #21 was elected as a Town Meeting Member to fill a vacancy.

A quorum count was taken. With one-hundred twenty-one (121) Town Meeting Members present, the meeting was declared in session at 7:45 P.M.

**ARTICLE 19:**

Selectman Hurd moved to authorize the Board of Selectmen to acquire by eminent domain, purchase, gift or otherwise, and to accept the deed to the Inhabitants of the Town, upon such terms and conditions as it shall determine, of a fee simple interest in the property owned by Grace and John Mangiasi, as shown on a plan entitled "Proposed Street Relocation, Billerica" dated August, 1973, prepared by James B. Monahan, RLS, which plan is on file with the Town Clerk, for the purposes of relocating Ingersoll Road as shown on said plan. Seconded.

Finance Committee concurred.

The motion as presented CARRIED.

**ARTICLE 20:**

Selectman Hurd moved to authorize the Board of Selectmen to acquire the following rights in land parcels for the purpose of obtaining secure and public rights of way or easements. This action is in connection with the construction of safety improvements at the intersection of Boston Road, Pollard Street and Floyd Street.

| | |
|---|---|
| Plate 31, Parcel 266 | Approximately 1,200 s.f. |
| Plate 41, Parcel 3 | Approximately 200 s.f. |
| Plate 31, Parcels 72 & 77 | Approximately 1,100 s.f. |
| Plate 31, Parcel 78 | Approximately 1,300 s.f. |
| Plate 31, Parcel 85-1 | Approximately 240 s.f. |
| Plate 31, Parcel 43-1-1 | Approximately 400 s.f. |
| Plate 31, Parcel 255 | Approximately 2,300 s.f. |
| Plate 31, Parcel 286 | Approximately 16,500 s.f. |
| Plate 31, Parcel 287 | Approximately 3,150 s.f. |
| Plate 31, Parcel 34-1 | Approximately 500 s.f. |

Furthermore, the Board of Selectmen may acquire these rights of way or easements or modifications of these through all legal mean. This includes donations, and/or eminent domain. Seconded.

Finance Committee concurred.

The motion as presented CARRIED unanimously.

**ARTICLE 21:**

Selectman Hurd moved to dismiss Article 21. Seconded.

The motion to dismiss CARRIED unanimously.

**ARTICLE 22:**

Selectman Hurd moved to make Article 22 the eight (8th) from the last order of business at this Town Meeting. Seconded.

The motion CARRIED.

**ARTICLE 23:**

Selectman Hurd moved to modify the Town of Billerica Sanitary Sewer Rules and Regulations to comply with current Federal Environmental Protection Agency requirements regarding imposition of fines for violations of rules and regulations promulgated by prior Town Meeting actions, from the current wording:

| | |
|---|---|
| ARTICLE XI | PENALTIES |
| Section 1. | Any person violating any provision of these Rules and Regulations may be punished by the maximum monetary amount permitted under the existing laws of the Commonwealth of Massachusetts. The current maximum monetary amount has been |

established at the rate of five thousand dollars ($5,000) per day. Each day of continued violation shall constitute a separate violation.

to the proposed wording:

ARTICLE XI PENALTIES

Section 1. Under the provisions of 40CFR 403.8 (f) (1) (vi) (A), the Town of Billerica will seek injunctive relief for non-compliance with pretreatment standards and requirements. Any person violating any provision of these Rules and Regulations may be punished by the maximum monetary amount permitted under the existing laws of the Commonwealth of Massachusetts. The current maximum monetary amount has been established at the rate of five thousand dollars ($5,000) per day. Each day of continued violation shall constitute a separate violation.

Section 2. Monetary penalties shall be issued solely from the office of the Director of Public Works.

Section 3. The minimum monetary penalty for any pretreatment violation of the Town of Billerica Sanitary Sewer Rules and Regulations shall be five hundred dollars ($500.00).

Section 4. Payment for monetary penalties issued by the Director of Public Works shall be due within thirty (30) days by certified check, drawn payable to the Town of Billerica.

Seconded. Finance Committee concurred

Motion as presented CARRIED unanimously.

**ARTICLE 24, 25 AND 26:**

Selectman Doyle moved to make Article 24, 25 and 26 the first, second and third order of business on October 13, 1994. Seconded.

The motion CARRIED.

**ARTICLE 27:**

Selectman Doyle moved to dismiss Article 27. Seconded.

The motion to dismiss CARRIED.

**ARTICLE 28:**

Rep. Moreira moved to amend Section 2.1, Article 4 of the General By-Laws and replace it with the following:

Whenever a new housing development, sewage improvement, new sidewalks are put in, streets are resurfaced, or any kind of construction disrupts an existing sidewalk, curb cuts (sidewalk ramps) shall be added in accordance with the regulations issued by the Architectural Access Board pursuant to Section 13A of Chapter 22 of the Mass. General Laws, and the (ADA) Federal Law.

Seconded.

Rules Committee recommended this article.

Finance Committee did not recommend this article.

Much discussion ensued when Rep. Luttrell moved the question. Seconded. The motion to end debate CARRIED unanimously

The motion as presented CARRIED.

Approved by Atty. General February 13, 1995

**ARTICLE 29:**

Rep. Young, Chairman of the By-Law Review Committee moved to amend the General By-Laws as printed in the warrant. Seconded.

Finance Committee concurred.

Rules Committee concurred.

The motion as presented CARRIED unanimously.

Approved by Atty. General February 13, 1995

**ARTICLE 30:**

Rep. Young moved to amend the General By-Laws by making the following Art. 20, Section 14 of the General By-Laws:

Section 14: For the preservation and care of lots in public burial place of the Town, the Treasurer shall receive and give the depositor a receipt for any sum of money not exceeding $500.00 dollars which may be deposited with him for the care of any particular lot; said sum to be expended in the manner directed by the depositor, or under the direction of the Cemetery Committee; each lot to be credited with the amount deposited for same and debited with all expenditures. When the sum so

received is $50.00 or more, it shall be deposited in one or more institutions for savings or loaned to some City or Town in the Commonwealth of Massachusetts and the income thereof annually be credited to the lot. The Treasurer shall report at every annual Town Meeting the names of all persons who have made such deposit, the outlay made on the respective lots for the year then expired, and the balance then standing to credit of the same.

Seconded.

Rules Committee concurred.

Finance Committee concurred.

The motion as presented CARRIED unanimously.

**ARTICLE 31:**

Rep. Young moved that the General By-Laws be amended by making the following Article 4, Section 5.10:

5.10 It shall be the duty of the Town Clerk to keep a book of records for the sole purpose of recording the location of all ways that are, or may be in the future, laid out within the Town.

A. This book shall have an index.

Seconded.

Rules Committee concurred.

Finance Committee concurred.

The motion as presented CARRIED unanimously.

Approved by the Atty. General February 13, 1995

**ARTICLE 32:**

Rep. Young moved to amend Article 2 of the General By-Laws as printed in the warrant. Seconded.

Rules Committee concurred.

Finance Committee concurred.

The motion as resented CARRIED UNANIMOUSLY.

**ARTICLE 33:**

It was moved, seconded and VOTED to postpone Article 33 until the fourth order of business on Thursday, October 13, 1994.

**ARTICLE 35:**

Rep. Young moved to bring Article 35 forward. Seconded. The motion to bring Article 35 forward CARRIED.

Rep. Young moved to dismiss Article 35. Seconded.

Rules Committee concurred.

Finance Committee concurred.

The motion to dismiss CARRIED unanimously.

**ARTICLE 36:**

It was moved, seconded and VOTED to bring Article 36 forward. Rep. Young moved to amend the General By-Laws by deleting Article 15. Seconded.

Rules Committee concurred.

Finance Committee concurred.

The motion as presented CARRIED unanimously,

**ARTICLE 38:**

It was moved, seconded and VOTED to bring Article 38 forward. Rep. Young moved to amend the General By-Laws by deleting Article 26 of the By-Laws. Seconded.

Rules Committee concurred.

Finance Committee concurred.

The motion to delete Article 26 of the General By-Laws CARRIED unanimously.

**ARTICLE 39:**

Rep. Young moved to postpone Article 39 until the 5th order of business on Thursday, October 13th. Seconded.

The motion to postpone CARRIED.

**ARTICLE 34:**

Rep. Young moved to postpone Article 34 to the sixth order of business on Thursday, October 13th. Seconded.

The motion to postpone CARRIED.

**ARTICLE 37:**

It was moved, seconded and VOTED to make Article 37 the next order of business.

Rep. Young moved to delete Article 18 of the General By-Laws in its entirety. Seconded.

Finance Committee concurred.

Rules Committee did not recommend passage of this article.

Rep. Young indicated that the By-Law Review Committee felt that the sign by-law in the Zoning By-Laws adequately protects the Town and that this general by-law is not necessary.

The article as presented was put to a vote. The Moderator declared the motion CARRIED. The vote was questioned and a counted vote was taken. With fifty-four voting in favor and forty-five opposed, the motion CARRIED.

Rep. Flynn moved to reconsider Article 37. Seconded. With ninety-one (91) voting in favor and fifteen (15) opposed, the motion to reconsider Article 37 CARRIED.

Moderate discussion ensued when it was moved, seconded and VOTED to end debate.

The motion as presented was put to a rising vote. With thirty-six (36) voting in favor and eighty-three (83) opposed, the motion as presented LOST.

**ARTICLE 40:**

It was moved, seconded and VOTED to move Article 40 forward.

Rep. Young moved to delete Article 21 of the General By-Laws and make it Article 23, Section G. Seconded.

Rules Committee concurred.

Finance Committee concurred.

The motion as presented CARRIED unanimously.

**ARTICLE 41:**

Rep. Young moved that Article 41 be moved to the seventh order of business on Thursday, October 13th. Seconded.

The motion to postpone CARRIED.

**ARTICLE 42:**

Rep. Callihan of the Rules Committee moved that the Town amend the General By-Laws, Article 1 as printed in the warrant. Seconded.

Finance Committee did not recommend this article.

Rep. Norman explained the article.

Moderate discussion ensued when Rep. Luttrell moved the question to end debate. Seconded. The motion to cut off debate CARRIED unanimously.

The main motion as presented LOST.

**ARTICLE 43:**

Selectman Krau moved to amend the General By-Laws by adding a new section to become Section 5.5.C and D. Seconded.

Rules Committee concurred.

Finance Committee concurred.

Rep. Young moved to amend the article by adding "unless it is impractical because of the structure's distance from the street". Seconded.

Rep. Krau moved to postpone Article 43 until the 8th order of business on October 13th. Seconded. The motion to postpone CARRIED.

It was moved, seconded and VOTED to adjourn until Tuesday, October 11, 1994 at 7:30 P.M. Seconded. The second session of the Fall Town Meeting adjourned at 9:48 P.M.

A True copy
ATTEST:

Shirley E. Schult
Town Clerk

## ANNUAL FALL TOWN MEETING
## OCTOBER 4, 1994

### THIRD SESSION - OCTOBER 11, 1994

A quorum count was taken. With one hundred twenty-four (124) Town Meeting Members present, the Town Meeting was declared in session at 7:45 P.M.

**ARTICLE 44:**

Rep. Moreira moved to dismiss Article 44. Seconded

The motion to dismiss CARRIED.

Rep. Tracey moved the following resolution:

"Be it resolved that the Town Meeting direct the Town Manager, via the Selectmen, to adhere to State Law

64A:13 (c) as provided in Section 31 of Chapter 81, with reference to the disposition of monies received from the Commonwealth of Massachusetts from the collection of gasoline taxes. Specifically, all monies received via the cherry sheet on line "Section 31, Chapter 81" must be used solely for road construction, reconstruction and improvements." Seconded.

A standing sense of the meeting was taken. With one hundred twenty (120) voting in favor and two (2) opposed, the motion CARRIED.

**ARTICLE 45:**

Rep. Norman moved to amend Article 18 of the General By-Laws, Sign Regulations, by adding a Section 18.6 - Political Signs as written in the warrant. Seconded.

Finance Committee did not recommend this article.

The Rules Committee recommended this article.

Much discussion ensued when it was moved, seconded and VOTED to end debate.

The motion as presented LOST.

Rep. Horlink moved that the Moderator appoint a committee of five to clarify or recommend changes to the political sign by-law in the Town of Billerica and that the committee report back with recommendations at the 1995 Spring Town Meeting. Seconded.

With twenty-eight (28) in favor and seventy (70) opposed, the motion LOST.

**ARTICLE 46:**

Rep. Bossi moved to amend the zoning by-laws as follows:

1. Amend section 5.7.4.A by adding the phrase "(see definition of private garage under section 2.16.1)"

2. Add the following to become section 2.16.1:
   2.16.1 GARAGE, PRIVATE: A garage for four or less passenger motor vehicles without provision for repairing or servicing such vehicles for profit. A private garage shall be limited to a maximum gross floor area of 900 sq. ft. and the door entrance shall be no more than 8 feet in height. When calculating the gross floor area of a detached private garage structure all the floor area within such structures shall be considered in the calculation. All detached private garage structures shall be limited to one story.

Seconded.

The Finance Committee recommended the motion with the following amendment: add the word "private" between the words "less" and "passenger" and change "8 feet in height" to "ten (10) feet in height." Seconded.

Planning Board Chairman Bossi gave the report of the public hearing held on September 26, 1994. Due notice was given in the Billerica News on September 11, and September 18, 1994. With seven members present and voting, it was voted seven (7) in favor and zero (0) opposed to recommend this article.

Rep. Arakelian moved to amend the article by striking the word "passenger". Seconded.

Rep. Lally moved to change the door entrance height to "twelve (12) feet in height." Seconded.

It was moved and seconded to cut off debate. With one hundred thirteen (113) in favor and one (1) opposed, the motion to end debate CARRIED.

The amendment to amend the door entrance height to "twelve (12) feet" was put to a vote. With sixty (60) in favor and fifty-three (53) opposed, the amendment CARRIED.

It was moved and seconded to reconsider the vote on the "twelve (12) foot" amendment. With sixty-six (66) in favor and fifty-one (51) opposed, reconsideration LOST.

The amendment to strike the word "passenger" LOST.

The amendment as presented by the Finance Committee CARRIED.

The main motion with the amendments attached thereto was put to a rising vote. With seventy-three (73) in favor and fifty-two (52) opposed, the motion LOST.

**ARTICLE 47:**

It was moved, seconded and VOTED to make Article 47 the ninth order of business on Thursday, October 13th.

**ARTICLE 48:**

Rep. Bossi moved to amend Section 5.12.D.5 of the Zoning By-Laws to read:

5. Within the Residential Cluster Overlay District no residence, temporary structure, driveway, accessory structure, swimming pool, parking area, filling, paving or fencing shall be located within one hundred (100) feet of the perimeter of the applicable Residential Cluster Overlay District, except for such util-

ity easements or roadways cutting through this one hundred (100) feet shall be expressly approved by the Planning Board's Special Permit Decision. All such areas shall be maintained in their natural state.

Seconded.

Finance Committee concurred.

Planning Board Chairman Bossi gave the report of the public hearing held September 12, 1994. Due notice was given in the Billerica Minuteman on Thursday, August 18 and August 25, 1994. The Board with seven members present, voted seven (7) in favor and zero (0) opposed to this amendment.

It was moved and seconded to end debate. With ninety-four (94) in favor and twenty-four (24) opposed, the debate was cut off.

The motion as presented was put to a rising vote. With one hundred twelve (112) in favor and nine (9) opposed, the motion CARRIED.

Approved by the Attorney General February 13, 1995

**ARTICLE 49:**

Rep. Bossi moved to amend Section 5.12.G.2 of the Zoning By-Laws to read:

2. The minimum required open space area may contain ponds, marshes, or other protected wetland, but only in the same or less proportion as is located on the residential lots.

Seconded.

Finance Committee concurred.

Planning Board Chairman Bossi gave the report of the public hearing held on September 12, 1994. Due notice was given in the Billerica Minuteman on Thursday, August 18 and August 25, 1994. The Board with seven (7) members present, voted seven (7) in favor and zero (0) opposed to recommend this amendment.

The motion as presented was put to a rising vote. With one hundred twenty-six (126) voting in favor and six (6) opposed, the motion CARRIED.

Approved by Attorney General February 13, 1995

**ARTICLE 50:**

Rep. Bossi moved Article 50 as written in the warrant, deleting "or act in relation thereto." Seconded.

Finance Committee concurred.

Planning Board Chairman Bossi gave the report of the public hearing held September 26, 1994. Due notice was given in the Billerica Minuteman on Thursday, September 1 and September 8, 1994. The Board voted six (6) in favor and one (1)abstention to recommend this amendment.

Rep. Flynn moved to amend the motion by substituting the words "Rural Residential" in place of "Village Residential". Seconded.

Much discussion ensued. Rep. Norman moved the question to end debate. Seconded. The motion to end debate CARRIED unanimously.

The amendment to strike "Village Residential" and insert "Rural Residential" LOST.

The motion as presented was put to a rising vote. With eighty-one (81) in favor and forty-five (45) opposed, the motion LOST.

It was moved and seconded to reconsider Article 50.

Rep. Norman moved the question. Seconded. With one hundred sixteen (116) in favor and five (5) opposed, the motion to end debate CARRIED.

The motion to reconsider Article 50 was put to a rising vote. With fifty-eight (58) in favor and sixty (60) opposed, the motion LOST.

It was moved, seconded and VOTED to adjourn until Thursday, October 13th at 7:30 p.m. The third session of the Fall Town Meeting adjourned at 9:56 P.M.

A True Copy
ATTEST:

Shirley E. Schult, CMC, CMMC
Town Clerk

## ANNUAL FALL TOWN MEETING
## OCTOBER 4, 1994

## MAURICE A. BUCK MEMORIAL AUDITORIUM
## FOURTH SESSION - OCTOBER 13, 1994

Prior to the start of Town Meeting, Precinct Two held a caucus and elected James Haines, 2 Letchworth Avenue to the Rules Committee.

A quorum count was taken. With one hundred twenty-four (124) Town Meeting Members present, the fourth session of the Fall Town Meeting was called to order at 7:41 P.M.

**ARTICLE 51:**

Rep. Tracey moved that Article 51 be brought forward at this time. Seconded. The motion CARRIED.

Selectman Doyle moved to dismiss Article 51. Seconded.

Finance Committee concurred.

The motion to dismiss CARRIED.

**ARTICLE 24:**

Selectman Doyle moved that the Town accept Tower Farm Road, from Poe Road to Boston Road in accordance with the plan(s) on file with the Town Clerk, a way 50 feet wide and 900 feet, more or less, long. Seconded.

Finance Committee concurred.

Planning Board Chairman Bossi gave the Planning Board report. This roadway was in an approved subdivision and has been completed according to the plans and the asbuilts placed on file in the Engineering Department.

Street Acceptance Committee Chairman Doyle gave the report of the public hearing held on September 18th. There are homes and businesses on this street. The street is paved 30 feet wide with curb on both sides and sidewalks on both sides for a distance of approximately 300 feet from Boston Road. Utilities are above ground.

The motion as presented CARRIED unanimously.

**ARTICLE 25**

Selectman Doyle moved to discontinue the streets listed in the warrant as public ways. Seconded.

Finance Committee concurred.

Street Acceptance Committee report was given on the public hearing held September 28th. These are all paper streets located in the Fox Hill area abutting Conservation land. There are no homes on these streets.

The Moderator ruled that each street would be voted separately.

**Jericho Lane:** On a counted vote with one hundred nineteen (119) in favor and five (5) opposed the motion to discontinue CARRIED.

**Davis Street:** The motion to discontinue Davis Street as described in the warrant CARRIED unanimously.

**Delwood Drive:** The motion to discontinue Delwood Drive as described in the warrant CARRIED unanimously.

**Brownstone Road:** The motion to discontinue Brownstone Road as described in the warrant CARRIED unanimously.

**Aiken Drive:** The motion to discontinue Aiken Drive as described in the warrant CARRIED unanimously.

**Quill Way:** The motion to discontinue Quill Way as described in the warrant CARRIED unanimously.

**Sunny Street:** The motion to discontinue Sunny Street as described in the warrant CARRIED unanimously.

**Stedman Street:** The motion to discontinue Stedman Street as described in the warrant CARRIED unanimously.

**Gail Ann Drive:** The motion to discontinue Gail Ann Drive as described in the warrant CARRIED unanimously.

**Dresden Drive:** The motion to discontinue Dresden Drive as described in the warrant CARRIED unanimously.

**ARTICLE 26**

Selectman Doyle moved to discontinue Greenleaf Street as a public way, for a distance from Forest Street

and to (the) northwestern dead end, a way 40 feet wide and 190 feet, more or less, long. Seconded.

Finance Committee concurred.

Selectman Doyle, Chairman of the Street Acceptance & Discontinuance Committee gave the report of the public hearing held on September 28, 1994. This section of Greenleaf Street is a paper street. There are no homes on this section of the street. There is no need to retain as an easement as this is a dead end.

The motion as presented was put to a rising vote. With one hundred two (102) in favor and thirteen (13) opposed, the motion to discontinue CARRIED.

**ARTICLE 33**

Rep. Young moved to amend Article 3 of the General By-Laws as follows:

**ARTICLE III**
**FINANCIAL REGULATIONS**

1. Taxes
   1.1 The financial year shall begin on July 01 and end on June 30.

   1.2 The assessment of taxes shall be completed and the tax list and warrant shall be delivered tothe Collector, starting on August and continuing quarterly on January 01, April 01 and July 01, provided the bond of the Collector has been approved.

   1.3 All taxes shall be payable quarterly on or before August 01, Nov ember 01, February 01, and May 01.

      A. Unless the first day of the month falls on a weekend or holiday, in which case they shall be payable on the next business day.

2. Collector
   2.1 It shall be the duty of the Collector to:
      A. Complete an account of the collection of all taxes committed to him, and present the same to the Board of Selectmen for settlement on or before January 15 each year and at other times as needed by the Board of Selectmen.
      B. Pay over to the Town Treasurer all taxes collected by him, at least once a week until the collection is completed.
      C. Have the due date printed on all tax bills.

3. Audit
   3.1 The Books and Accounts of the Town of Billerica shall be audited annually under the direction of the Town Administrator by an outside firm of his choice.

4. Fees
   4.1 All Town Officers are to pay all fees received by them by virtue of their offices into the treasury.

   4.2 Except in the case of the Town Clerk's Office, when acting as an agent of the County or State, which shall report the amount from time to time to the Board of Selectmen and publish the amounts in the annual report.

5. Bid By-Law
   5.1 Every contract for the procurement of supplies, services or real property and for the disposal of supplies or real property, shall be solicited and awarded pursuant to the provisions of the Uniform Procurement Act, Massachusetts General Laws, Chapter 30B, Section 4 and 5.

   5.2 Every contract for the construction, reconstruction, alteration, remodeling or repair of any public works, or for the purchase of any materials related thereto estimated to cost less than $25,000.00 shall be solicited and awarded, at the discretion of the procurement officer, pursuant to either the provisions of Massachusetts General Laws, Chapter 30, Section 39M or the provisions of M.G.L. Chapter 30B, Section 5.

   5.3 Every contract for the construction, reconstruction, alteration remodeling or repair of any public work, or for the purchase of any materials related thereto or for the construction, reconstruction, installation, demolition, maintenance or repair of any building, for the purchase of any materials related thereto estimated to cost more than $25,000.00, shall be awarded in accordance with the provisions of Massachusetts General Laws, Chapter 30, Section 39M or Chapter 149, Section 44 A-H respectively.

6. Fees of the Town Clerk
   6.1 The fees of the Town Clerk shall be established as set forth in Section 34 of Chapter 262 of the General Laws and any acts in amendment thereof or in addition thereto, except for the following fees:

**Births**

| | Fees |
|---|---|
| For furnishing a certificate of birth | $5.00 |
| For furnishing an abstract copy of a record of birth | 4.00 |

| | |
|---|---|
| For correcting errors in a record of birth | 10.00 |
| For entering a delayed record of birth | 10.00 |
| For entering an amendment of a record of birth of an illegitimate child subsequently legitimized | 10.00 |

**Deaths**

| | |
|---|---|
| For furnishing a certificate of death | 5.00 |
| For furnishing an abstract copy of a record of death | 4.00 |
| For correcting errors in a record of death | 10.00 |
| For recording a deed of a lot or plot in a public burial place or cemetery | 10.00 |

**Marriages**

| | |
|---|---|
| For issuing a certificate of marriage | 5.00 |
| For entering a notice of intention of marriage and issuing a certificate thereof | 15.00 |
| For entering a certificate of marriage filed by persons married outside the Commonwealth | 5.00 |
| For furnishing an abstract copy of a record of marriage | 4.00 |
| For correcting errors in a record of marriage | 10.00 |

**Business**

| | |
|---|---|
| For filing a business certificate of a person conducting business under any title other than his real name | 20.00 |
| For filing a change of business certificate of a person conducting business under any title other than his real name such as: a statement of change of his residence, or of his discontinuance, retirement or withdrawal from, or of a change of location of such business | 10.00 |
| For furnishing a certified copy of a business certificate of a person conducting business under any title other than his real name or a statement by such person of his discontinuance, retirement or withdrawal from such a business | 5.00 |
| For filing a copy of a written instrument of declaration of trust by the trustees of an association or trust, or any amendment thereof as provided by Sec. 2. Chapter 182 | 20.00 |
| For filing and indexing an assignment for the benefit of creditors | 10.00 |
| For recording the certificate of registration granted to a person to engage in the practice of optometry, podiatry, osteopathy or as a physician or issuing a certified copy thereof | 20.00 |
| For recording an order granting locations of poles, piers, abutments or conduits, alterations or transfers thereof, and an increase in the number of wires and cables or attachments under the provisions of Sec. 22 of Chapter 166 Flat Rate | 40.00 |
| Additional fee for each street or way included in such order Additional fee | 10.00 |
| For receiving and filing of a complete inventory of all items to be included in a "closing out sale" etc. first page | 10.00 |
| each additional page | 2.00 |

**General**

| | |
|---|---|
| For examining the records or papers relating to a birth, marriage or death upon the application of any person; the actual expense thereof, but not less than | 5.00 |
| For copying any manuscript of record pertaining to a birth, marriage or death per page | 5.00 |
| For recording a power of attorney | 10.00 |
| For recording any other documents first page | 10.00 |
| each additional page | 2.00 |
| Voter's Card | 5.00 |

Seconded.

Finance Committee concurred.

Rules Committee had no report.

The motion as presented CARRIED.

Approved by Atty. Gen. 2/13/1995.

**ARTICLE 39:**

Rep. Young moved to amend Article 23 of the General By-Laws as follows:

E. All business establishments requiring a license shall receive approval of their operating hours from the respective licensing authority.

F. The Selectmen shall establish the fee for Automatic Amusement Device Licenses not to exceed $100.00 per machine.

G. The Selectmen may issue a license to any person for the purpose of occupying or obstructing a sidewalk, for a limited time, while erecting, altering, or repairing a building or structure. The licensee shall furnish a satisfactory bond to the Town to hold it harmless from all claims for loss or damage arising from the occupancy or obstruction under the license. The licensee shall place a good and convenient temporary walk around such obstructions when ordered to do so by the Selectmen, Zoning Enforcement Officer or the Police Department. The Police Department shall enforce this by-law.

H. The Selectmen may issue licenses to such persons they deem suitable to be dealers in and keepers of shops for the purchase, sale or barter of junk, old metals, or second-hand articles with the Town and as junk collectors to collect by purchase or otherwise, junk, old metals and second-hand articles from place to place within the Town, subject to the provisions of G.L. C140, ss 54. Provided that the licensee shall agree to abide by and be subject to all the provisions of this section or any by-law relating to such license.

Seconded.

Finance Committee concurred. Rules Committee concurred.The motion as presented CARRIED unanimously.

Disapproved by Attorney General February 13, 1995

## ARTICLE VI
## POLICE REGULATIONS

1. Unlawful Entry
   1.1 No person shall enter upon the premises of another for the purpose of committing any wanton or malicious act, nor for the purpose or with the intention of invading the privacy of another by peeping into the windows of a house or spying upon any person or persons resident therein, and no person being on the premises of another, shall peep into the windows of a dwelling house thereon nor spy upon any person or persons resident therein.

   1.2 Anyone found guilty of violating this section shall be punished by a fine of One Hundred Dollars ($100.00) for each and every offense.

2. Defacing of Property
   2.1 No one shall affix any bill, placard, device or notice to; nor write any figures, or words upon; any building, fence, utility pole or wall in the Town; without the permission of the owner or occupant if there is a notice posted forbidding the same.

   2.2 No one shall make any indecent drawing or writings upon any fence, tree, building or structure in any public place.

   2.3 No person shall be allowed to throw posters, handbills, flyers, advertising sheets, waste or rubbish in the public street or ways.

   2.4 Anyone found guilty of violating this section shall be punished by a fine of not less than Twenty Five Dollars ($25.00) nor more than Fifty Dollars ($50.00) for each and every offense.

3. Illegal Dumping
   3.1 No person shall deposit, dump or store; garbage, trash, hazardous or nonhazardous waste, toxic or nontoxic chemicals, unregistered motor vehicles, parts of motor vehicles, tires, building materials of any type, household or industrial furnishings, or appliances in or upon any public or private way or in or upon any town owned property.

   3.2 Violation of this section is punishable by a find of $250.00 for each offense.

   3.3 This section shall be enforced on behalf of the Town by it's Police Department which shall have the right to issue a citation to any and all persons in violation.

   3.4 Notice of this section shall be posted at each major roadway entering Town.

4. Coasting or Sledding
   4.1 No person shall coast or slide on any sled or other vehicle in or upon any public street or way in the Town.

   4.2 The Selectmen at their discretion, may, by public notice, designate any streets or ways where coasting may be permitted for a period to be designated in such notice.

   4.3 Violation of this section is punishable by a fine of not less than Five Dollars ($5.00) nor more than Twenty-Five Dollars ($25.00) for each offense.

5. Payment of Penalties
   5.1 All penalties of forfeiture recovered for breach of any of these sections shall be paid into the Town Treasury for the use of the Town.

6. Duties
   6.1 It shall be the duty of the Selectmen, Constables and Police Officers to prosecute every violation of all by-laws.

   6.2 Any Town constable or Police Officer may make arrests and serve warrants and other processes necessary for the enforcement of the by-laws.

   6.3 The costs and fees shall be the same as allowed in criminal prosecutions before the court or a magistrate.

6.4 Every violation of any of this article, except when the penalty is specifically stated, shall be punished by a fine of not less than Twenty-Five Dollars ($25.00) nor more than One Hundred Dollars ($100.00)

7. Discharge of a Weapon or Explosive

7.1 No person shall fire or discharge a firearm, rifle, shotgun, or explosives of any kind within the limits of any highway, road, park, or other public property, except with the permission of the Board of Selectmen, or on any private property except with the consent of the owner or legal occupant thereof.

7.2 This section shall not apply to the following:

A. To the lawful defense of life and property or

B. To any law enforcement officer acting in the discharge of his duties or

C. The discharge of firearms, rifles, shotguns or cannons (with blank ammunition) in fulfilling the needs of historical, ceremonial, competitive and sporting activities; starting guns for various road races held throughout the Town and for special events (e.g. Yankee Doodle Homecoming Weekend).

7.3 Sporting organizations and or sporting clubs involved in firearms use will be required annually, during the month of January, to notify the Chief of Police and the Board of Selectmen in writing of their intent to continue their operation as a sporting organization/club for the ensuing year. Said notice shall include a list of the organization/club officers and the location where firearm use is normally held.

7.4 Notice of this by-law shall be posted at each major roadway entering the Town.

7.5 Any person violating this by-law shall be punished by a fine of not more than Two Hundred and Fifty Dollars ($250.00) for each offense.

8. Alcoholic Beverages: Possession and Consumption

8.1 Definitions

A. The following definitions shall apply in the interpretation and enforcement of this section:

**Alcoholic Beverages:** Any beverages defined as an alcoholic beverage in Section 1 of Chapter 138 of the General Laws.

**Private Property:** Any real property within the Town of Billerica which is not owned by the Town.

**Public Property:** All Town commons, school grounds, municipal parking lots, public cemeteries, municipal playgrounds and all real property , buildings, or offices owned by or leased to the Town or occupied or used by any board, department, committee, commission or office of the Town.

**Public Way:** The entire bounds of any way, street, road avenue or lane which is publicly maintained and used for vehicular travel, when any part thereof is open to use by the public. This shall include the entire width of any sidewalk used in conjunction with said way.

8.2 No person shall consume any alcoholic beverages on any public way or on any way to which the public has a right of access.

8.3 No person shall bring any alcoholic beverages on any public property or onto any private property or possess or consume any alcoholic beverages in or upon any public property or private property without the permission of the owner or person lawfully in charge or control of such public or private property.

8.4 All alcoholic beverages possessed or consumed in violation of this by-law shall be seized and held until final adjudication of the charge against the person or persons arrested or summoned before the court. After final adjudication all alcoholic beverages seized shall be returned to the persons entitled to the lawful possession of them.

8.5 Violations of this section are punishable by a fine of One Hundred ($100.00) Dollars for each offense.

8.6 This section shall be enforced on behalf of the Town by its Police Department which shall have the right to arrest any and all persons in violation of said section.

9. Motor Boats

9.1 The operation of any boar or watercraft of any nature powered or propelled by an internal combustion engine of any nature is prohibited on

Nuttings Lake, except by emergency personnel when responding to a valid emergency situation.

9.2 All water craft operated on Nuttings Lake shall be operated so as to remain a safe and reasonable distance from any areas used for swimming which are marked by suitable buoys designating the swimming area.

9.3 The unauthorized alteration, removal or displacement of any sign, marker, or other device used to indicate a swimming area, boating hazard or otherwise give notice of this by-law is prohibited.

9.4 Every violation of this section shall be punished by a fine of not less than Fifty Dollars ($50.00) nor more than Two Hundred and Fifty ($250.00)

10. Solicitation or Canvassing

10.1 License Required

A. It shall be unlawful for any solicitor or canvasser as defined in this section to engage in such business within the town without first obtaining a license therefor in compliance with the provisions of this section. The provisions of this section shall not apply to any person exempted under Chapter 101 of the General Laws, or any other person exempted by any other General Law, nor shall this section be construed to prevent route salesmen or other persons having established customers to whom they make periodic deliveries, from calling upon such customers or from making calls upon prospective customers to solicit an order for future periodic route deliveries.

10.2 Definition

A. **Solicitor or Canvasser:** Any person who, for himself, or for any other person, firm or corporation travels by foot, automobile or any other type of conveyance from place to place, from house to house or from street to street, taking or attempting to lease or take orders, for the sale of goods, wares, merchandise, or services, including without limitation, the selling, distributing, exposing for sale or soliciting of orders, for magazines, books, periodicals or other articles of a commercial nature, the contracting of all home improvements or services to be performed in the future whether or not such individual has, carries or exposes for sale a sample of the subject of such sale or whether he is collecting advance payment on such sale.

B. For the purpose of this section solicitor and canvasser shall mean the same person.

10.3 Application

A. Applicants for a license shall file with the Chief of Police, on a form issued by the Police Department, a written application signed under the penalties of perjury, containing, but not limited to, the following information

(1) Name of applicant

(2) Address of applicant (local and permanent home address)

(3) Applicant's height, weight, eye and hair color

(4) Applicant's social security number

(5) The length of time for which the right to do business is desired

(6) A brief description of the nature of the business and the goods to be sold

(7) The name and address of the applicant's employer. If self-employed, it shall so state.

(8) A recent photograph of the applicant. The picture shall be supplied by the applicant and be 2" X 2" showing the head and shoulders of the applicant in a clear and distinguishing manner.

(9) If using a motor vehicle; the year, make, model, color, v.i.n., registration number, state of registration and vehicle owner's name and address.

10.4 At the time of filing the application, each applicant shall pay a fee of Twenty-Five Dollars($25.00).

10.5 Investigation and Issuance of License

A. Upon receipt of the application, the Chief of Police or his designee, shall investigate the applicants' reputation as to criminal record or any other record which might demonstrate the applicant as a danger to the public.

B. After an investigation, but within seven (7) business days of the filing of the application, the Chief of Police shall endorse on such application his approval or disapproval, and in the case of disapproval, set forth his reasons therefor.

C. Failure of the Chief of Police to act on said application within seven (7) business days of the applicant's filing shall constitute an approval.

D. If disapproved, the applicant shall have the right of appeal to the Board of Selectmen which shall be requested in writing within seven (7) days of the denial by the Chief of Police.

E. The Board of Selectmen must act upon the appeal at one of their next two regularly scheduled meetings. Failure to so act shall constitute an approval.

F. Such license when issued shall contain the signature of the Chief of Police or the Board of Selectmen and shall show the name, address, a recent photograph of the licensee, the date of issuance, an expiration date, and the license number.

G. The Police Department shall keep a record of all licenses issued for a period of six (6 years. Solicitors when engaged in the business of soliciting or canvassing are required to display the identifying badge issued by the Police Department. The badge shall be worn on an outer garment or otherwise prominently displayed so as to be easily readable by any person facing said solicitor.

10.6 Licenses

A. Each Solicitor is required to possess an individual license.

B. No license shall be required for officers or employees of the Town, County, State or Federal Governments when on official business.

C. No license shall be required for minors under the age of eighteen unless in connection with commercial activity.

D. No license shall be transferred.

10.7 Revocation of License

A. The Chief of Police is hereby vested with jurisdiction over the revocation of licenses.

B. Any person aggrieved by such revocation may appeal to the Board of Selectmen, in writing, within seven (7) business days, and a hearing will be scheduled for one of their next two regularly scheduled meetings.

10.8 Expiration of License

A. Each license issued under the provisions of this section shall continue in force from the date of issuance until the thirty-first of December following, unless sooner revoked.

10.9 Renewal of License

A. A license issued under the provisions of this section may be renewed by the Chief of Police.

B. An applicant requesting a renewal of a license must apply in person for such license renewal, and provide such information as required to obtain the initial license.

10.10 Misrepresentation

A. No solicitor, licensed or exempted from license, may misrepresent, in any manner, the buyer's right to cancel as stipulated by Chapters 93, 93A and 255 of the General Laws.

B. No solicitor, licensed or exempted from license, may use any play, scheme or ruse which misrepresents the true status or mission of the person making the call in order to gain admission to a prospective buyer's home, office or other establishment for the purpose of making a sale of goods or services.

10.11 Trespassing

A. It shall be unlawful for any solicitor to enter the premises of a person who has displayed a "no trespassing" or "no soliciting" sign or poster.

B. It shall be unlawful for solicitors to ignore a person's no solicitation directive or remain on private property after it's owner or occupant has indicated that the solicitor is not welcome.

10.12 Solicitation/Canvassing Times

A. There shall be no soliciting or canvassing between the hours of 6:00 P.M. and 9:00 A.M.

10.12 Penalty

A. No person violating any provision of this section shall be subject to arrest, and upon conviction, be punished by a fine of not less than Fifty Dollars ($50.00) nor more than One Hundred dollars ($100.00) for each and every offense.

11. Loitering

11.1 No person shall stand or loiter in or on any street, sidewalk or public place in such a manner as to obstruct the free passage of travelers thereon.

11.2 No person shall on such street, sidewalk or public place, after being directed by a police officer to move on and disperse; on the same or subsequent day, reassemble to loiter or remain so as to obstruct the free passage of travelers or motor vehicles.

11.3 Nothing in this section shall be construed to deny the rights of peaceful picketing.

Seconded.

Finance Committee concurred.

Rules Committee concurred

**ARTICLE 41:**

Rep. Young moved to delete Article 16 of the General By-Laws. Seconded.

Finance Committee concurred.

Rules Committee concurred

The motion as presented CARRIED.

Approved by Attorney General February 13, 1995

**ARTICLE 43:**

Selectman Krau moved to amend the General By-Laws by adding new sections to become Section 4.5.C and 4.5.D to read as follows

4.5.C All numbers shall be posted at a conspicuous location on a structure: As defined in Massachusetts General Laws, Chapter 148, Section #1. So as to be completely visible from the street, and shall be at least three inches in height. This refers to new construction.

4.5.D No occupancy permit shall be granted unless building numbers as specified under C. have been posted.

Seconded

Finance Committee concurred.

Rules Committee had no recommendation.

Rep. Moriera moved the question. Seconded. The motion to end debate CARRIED unanimously.

Approved by Attorney General February 13, 1995

**ARTICLE 47:**

Rep. Bossi moved to amend the Zoning By-Law as follows:

1. Add a new subsection 3.1.7 to read:
   3.1.7 RESIDENTIAL CLUSTER OVERLAY DISTRICT

2. Amend subsection 5.12.I.1, 5.13.I.2 and 5.12.I.3 as follows:
   1. The application shall not be submitted prior to the approval of a conventional preliminary subdivision plan in accordance with the Rules and Regulations of the Planning Board governing the subdivision of land. Such plan shall provide satisfactory evidence that the number of lots shown on the Residential Cluster Development plan is no greater than the number of lots that could otherwise by developed. Each conventional lot must have enough non-wetland area to site a dwelling. A second preliminary plan showing the proposed cluster plan shall also be submitted along with the previously referenced conventional preliminary plan.
   2. Filing of application
      An application for the granting of a special permit by the Planning Board to approve a Cluster Residential Development shall be filed with the Board, with a copy filed forthwith with the Town Clerk, and shall be accompanied by the requisite number of definitive subdivision plans for the entire tract under consideration, prepared by a registered professional architect, engineer or landscape architect.
   3. Said application and plan shall be prepared in accordance with the requirements for a definitive subdivision plan in the Rules and Regulations of the Planning Board governing subdivision of land, and shall include proposed location, bulk and height of all proposed buildings.

Seconded.

Finance Committee concurred.

Planning Board Chairman Bossi gave the report of the public hearing held September 12,1994. Due notice was given in the Billerica Minuteman on August 18, and August 25, 1994. The Board voted seven (7) in favor and zero (0) opposed to recommend this amendment.

There being no discussion, the motion as presented CARRIED unanimously.

**ARTICLE 53:**

Selectman Doyle moved to bring Article 53 forward at this time. Seconded. The motion CARRIED.

Attorney Stephen Lentine, counsel for the petitioner was allowed forward to speak on the article.

Selectman Doyle moved Article 53 as printed in the warrant. Seconded.

Finance Committee concurred.

Planning Board Chairman Bossi gave the report of the public hearing held September 26, 1994. Due notice was given in the Billerica Minuteman on Thursday September 1 and September 8, 1994. The Board, with seven (7) members present, voted two (2) in favor, four (4) opposed and one (1) abstention not to recommend this article. The Board felt the district regulations were inadequate to address potential problems. There were major concerns with frontage, access, setbacks, potential noise and environmental damage.

Much discussion ensued both for and against this rezoning.

Rep. Flynn moved to send this to a study committee of five people to be appointed by the Moderator to report back at the next Annual Town Meeting. Seconded.

Rep. Newman moved the question. Seconded. The motion to enddebate CARRIED.

The amendment to send this to a committee was put to a vote. The motion LOST.

Rep. Seymour moved to reconsider the motion to send to committee. Seconded. The motion to reconsider LOST.

Discussion continued at great length.

Rep. Luttrell moved the question. Seconded. The motion to end debate CARRIED unanimously.

The motion as presented was put to a rising vote. With eighty-six (86) in favor and forty-four (44) opposed, the Moderator declared the motion CARRIED.

It was moved and seconded to reconsider the Article. With five (5) in favor and ninety (90) opposed, the motion to reconsider LOST.

Disapproved by Atty. Gen. 2/13/1995

**ARTICLE 52:**

Selectman Doyle moved to amend the Zoning By-Laws and Zoning Map by rezoning from an Industrial District to a Wood Processing District the whole or any part of land owned by C.A. Realty Corporation of Rangeway Road known as Assessor's Map 20, Parcel 4 in said Town bounded and described in the warrant. Seconded.

Finance Committee concurred.

Planning Board Chairman Bossi gave the report of the public hearing held September 26, 1994. Due notice was given in the Billerica Minuteman on Thursday, September 1 and September 8, 1994. The Board, with six (6) members present, voted six (6) opposed to this rezoning. The siting of a wood processing facility would be inappropriate as this parcel has neither frontage or location on an improved street. It's close proximity to a residential area to the north and to wetlands and conservation land, increased truck traffic and the noise associated with this type of operation all are major concerns.

Attorney Lentine, counsel for the petitioners, was allowed forward to speak for the article and to answer questions.

Rep. Newman questioned the quorum. Seconded. With one hundred twenty-three (123) Town Meeting Members present, the meeting continued.

Debate continued at length.

Rep. McDowell moved to end debate. Seconded. The motion to end debate CARRIED unanimously.

The motion as presented was put to a rising vote. With seventy-four (74) voting in favor and forty-five (45) opposed, the motion LOST.

It was moved, seconded and VOTED to adjourn. The fourth session of the Fall Town Meeting adjourned at 10:52 P.M.

A True Copy
ATTEST:

Shirley E. Schult, CMC, CMMC
Town Clerk

## ANNUAL FALL TOWN MEETING
## OCTOBER 4, 1994

## MAURICE A. BUCK MEMORIAL AUDITORIUM
## FIFTH SESSION - OCTOBER 18, 1994

Prior to the start of Town Meeting, Precinct One held a caucus and elected Catherine Frederico, 158 Concord Road, F-11 as a Town Meeting Member.

Precinct Seven caucused and elected Richard B. White, 10 Austin Street to serve on the Rules Committee.

A quorum count was taken. With one hundred twenty-eight (128) Town Meeting Members present, the fifth session of the Annual Fall Town Meeting was declared in session at 7:41 P.M.

Fire Captain Richard Burtt, on behalf of the Billerica Municipal Awards Board, presented a citation to Fire Fighter Paul Wood for his part in reviving a youngster who was found floating unconscious in a swimming pool.

**ARTICLE 52:**

Rep. Noonan moved to reconsider Article 52. Seconded.

Rep. Symmes moved the question. Seconded. The motion to end debate CARRIED unanimously.

The motion to reconsider was put to a rising vote. With ninety-one (91) in favor and fifty-eight (58) opposed, the motion to reconsider LOST.

**ARTICLE 54:**

Rep. Flynn moved to dismiss Article 54. Seconded. The motion to dismiss CARRIED.

Rep. Moreira moved to adjourn the Annual Town Meeting until after the Special Town Meeting. Seconded. The motion CARRIED.

The fifth session of the Annual Town Meeting adjourned at 7:58 P.M.

A True Copy
ATTEST:

Shirley E. Schult
Town Clerk

## ANNUAL FALL TOWN MEETING
## OCTOBER 4, 1994

## MAURICE A. BUCK AUDITORIUM
## SIXTH SESSION - OCTOBER 18, 1994

A quorum count was taken. With one hundred sixty-eight (168) Town Meeting Members present, the Annual Fall Town Meeting was declared in session at 8:46 P.M.

**ARTICLE 22**

Selectman Hurd moved to dismiss Article 22. Seconded.

The motion to dismiss CARRIED.

**ARTICLE 16:**

Selectman Hurd moved to postpone Article 16 until the last order of business on November 3, 1994. Seconded. The motion to postpone CARRIED.

**ARTICLE 13:**

Selectman Hurd moved to postpone Article 13 until the first order of business on November 3rd. Seconded. The motion to postpone CARRIED.

**ARTICLE 12:**

Selectman Hurd moved to postpone Article 12 until the second order of business on November 3rd. Seconded. The motion to postpone CARRIED.

**ARTICLE 7:**

Selectman Hurd moved to postpone Article 7 until the third order of business on November 3rd. Seconded. The motion to postpone CARRIED.

**ARTICLE 6:**

Selectman Hurd moved to postpone Article 6 until the fourth order of business on November 3rd. Seconded. The motion to postpone CARRIED.

**ARTICLE 5:**

Selectman Hurd moved to postpone Article 5 until the fifth order of business on November 3rd. Seconded. The motion to postpone CARRIED.

**ARTICLE 4:**

Selectman Hurd moved to postpone Article 4 until the sixth order of business on November 3rd. Seconded. The motion to postpone CARRIED.

It was moved, seconded and VOTED to adjourn until November 3, 1994 at 7:30 P.M. The sixth session of the Fall Town Meeting adjourned at 8:54 P.M.

A True Copy,
ATTEST:

Shirley E. Schult, CMC, CMMC
Town Clerk

## ANNUAL FALL TOWN MEETING
## OCTOBER 4, 1994

## MAURICE A. BUCK MEMORIAL AUDITORIUM
## SEVENTH SESSION - NOVEMBER 3, 1994

A quorum count was taken. With one hundred twenty-two (122) Town Meeting Members present, the meeting was declared in session at 7:30 P.M.

Rep. Thomas H. Conway, Jr., Chairman of the Billerica County Land Use Committee introduced the members of the Committee who have worked long and diligently with State Rep. William Greene, Jr. and the County Commissioners to obtain the deed to approximately one hundred ninety-four (194) acres of land adjacent to the House of Correction land on Treble Cove Road.

He then presented the Quit Claim Deed and associated documents to Ralph Krau, Chairman of the Board of Selectmen, who accepted the documents on behalf of the Town. Said documents are recorded at the Registry of Deeds as follows:

1. Quitclaim Deed - Book 7230, page 121
2. Notice of Lease - Book 7230, page 126
3. Certificate of Vote - Book 7230, page 124

**ARTICLE 13:**

Rep. Donald Flynn moved to transfer $17,500.00 from the "Building Insurance Fund" account #19370-5302 to "Building Department Personnel" Account #24110-5110, to fund an additional full time local inspector position on a temporary basis, to the building department staff, whose time will be dedicated exclusively to the enforcement of the Billerica Zoning By-Law.

A written report shall be independently prepared by the Building Department, without interference from any other person, and made available to Town Meeting Representatives in December, 1994 and June, 1995 by said department to fully document the accomplishments and expenditures of the Town regarding the enforcement of the Zoning By-Law. This report shall also include recommendations to improve enforcement processes, management and complaint resolution.

Seconded.

Finance Committee concurred.

Selectman Hurd moved a substitute main motion. "That the town transfer $17,500.00 from the "Building Insurance Fund" account #19370-5302 to Building Department Personnel Account #24110-5110, to add a full-time Local Inspector to the Building Department." Seconded.

Moderate Discussion ensued.

Rep. Lutrell moved the question. Seconded. The motion to end debate CARRIED unanimously.

The substitute main motion presented by Selectman Hurd was put to a rising vote. With one hundred four (104) voting in favor and forty-one (41) opposed, the motion CARRIED.

**ARTICLE 12:**

Selectman Hurd moved to dismiss Article 12. Seconded. The motion to dismiss Article 12 CARRIED.

**ARTICLE 7:**

Selectman Hurd moved to dismiss Article 7. Seconded. The motion to dismiss Article 7 CARRIED.

**ARTICLE 6:**

Selectman Hurd moved to dismiss Article 6. Seconded. The motion to dismiss Article 6 CARRIED.

**ARTICLE 5:**

Selectman Hurd moved to dismiss Article 5. Seconded. The motion to dismiss Article 5 CARRIED.

**ARTICLE 4:**

Selectman Hurd moved to transfer the following amounts within the approved FY '95 budget:

From Account #122-5110, Board of Selectmen Personnel, the sum of $1,315; To: Account #91070-7084, T/G Scholarship Fund

From: Account #710-7580, New Debt Interest the sum of $125,000.00; To: Account #710-7130, Temporary Borrowing

From: Account #710-7580, New Debt Interest, the sum of $10,000.00; To: Account #135-5200, Contractual Services

Seconded,

The Finance Committee concurred.

The motion as presented CARRIED unanimously.

**ARTICLE 16:**

Selectman Hurd moved to dismiss Article 16. Seconded.

Finance Committee concurred.

Finance Committee Member LeBlanc gave a minority report. He then moved to amend the motion as follows: "That the Town transfer money for free cash as certified by the Department of Revenue to be applied to reduce the tax rate for FY 94-95, up to a million dollars." Seconded.

The amendment was put to a rising vote. With one hundred six (106) in favor and one hundred thirteen (113) opposed, the motion to reconsider LOST.

Rep. Moriera moved to dissolve the Fall Town Meeting. Seconded. The motion to dissolve CARRIED unanimously. The Fall Town Meeting was declared dissolved at 9:23 P.M.

A True Copy
ATTEST:

Shirley E. Schult, CMC, CMMC
Town Clerk

# WARRANT FOR
# SPECIAL TOWN MEETING
# OCTOBER 18, 1994

Middlesex, ss.

To any Constable in the Town of Billerica:

Greetings:

You are hereby authorized and required to notify and warn the inhabitants of said Town of Billerica qualified by law to vote in Elections and Town affairs, to meet at the Maurice A. Buck Memorial Auditorium, Town Hall, 365 Boston Road, Billerica, MA., on Tuesday, October 18, 1994 at 8:00 P.M. and then and there vote the following articles:

**ARTICLE 1:**

To see if the Town will vote to approve a sum on money not in excess of $1,035,000.00 for the purchase in perpetuity, agricultural property off Route 3A and Wyman Road, Billerica, MA. Said property consists of the following:

Approximately 30 acres of business and residentially zoned land at the southwest quadrant of Route 3A and Wyman Road, Billerica, Ma., shown as Lot 2 on Land Court Plan No. 13473-C, Lot 36 on Land Court Plan NO. 3708-P and Lot 38 on Land Court Plan No. 3708-Q filed with the Middlesex North Registry District of the Land Court and more particularly described in Certificate of Title No. 29170, Owner: John E. Farmer, Trustee of Amethyst Realty Trust.

To determine whether this appropriation shall be raised by borrowing or otherwise;

or take any other action relative thereto.

Submitted by the Board of Selectmen.

**ARTICLE 2:**

To see if the Town will vote to authorize the Board of Selectmen to petition the Great and General Court to issue notices of preliminary tax in addition to such notice of preliminary tax as provided in section fifty-seven C of Chapter fifty-nine;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

**ARTICLE 3:**

To see if the Town will vote to authorize the Town Treasurer to borrow in anticipation of Taxes - third quarter bills;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen

**ARTICLE 4:**

To see if the Town will vote to authorize the Board of Selectmen to accept $10,000.00 from New England Telephone and further authorize the Town Administrator to enter a lease/purchase for a (service) pickup truck for the Fire Department;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

**ARTICLE 5:**

To see if the Town will vote to adopt the provisions of Massachusetts General Laws, Chapter 40, Section 22F, Fees and Charges — Acceptance of Section;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen.

**ARTICLE 6:**

To see if the Town will vote to authorize the Board of Selectmen to transfer ownership of the River Street Bridge spanning the Concord River, Billerica Bridge No. B-12-002, to the Commonwealth of Massachusetts Highway Department;

or act in relation thereto.

Submitted by the Town Administrator authorized by the Board of Selectmen

**ARTICLE 7:**

To see if the Town will vote to authorize the Board of Selectmen to discontinue a permanent utility easement on a portion of Broadway Street and Hawthorne Street which was voted at the Annual Fall Town Meeting, October 4, 1983, Article 11;

or act in relation thereto.

Submitted by the Board of Selectmen

**ARTICLE 8:**

To see if the Town will vote to transfer the care, custody and control of land shown on Assessor's Plate 51, Parcels 114, to the Billerica Housing Authority for the use of elderly parking;

or act in relation thereto.

Submitted by the Billerica Housing authority

**ARTICLE 9:**

To see if the Town will vote to amend the Billerica Zoning By-Law by deleting the words shown in italics (parenthesis) and adding the words in boldface (underlined) type to Sections 2.62 and 7.1A

2.52 STRUCTURE

Anything constructed or erected, the use of which requires a fixed location on the ground, or attachment to something located on the ground, including buildings, mobile homes, billboards, signs, tanks, swimming pools, **covered or uncovered porches, steps, cornices, eaves and other projections**, retired or unregistered trailers or trailer containers, retaining walls, fences using barbed wire, (razor wire, etc) or the like or like or parts thereof. However, this definition does not include an ornamental stone boundary wall or fence six feet or less in height above the mean finished grade of the land and adjoining land.

2.62 YARD

An open space on a lot unoccupied by a building or structure or such parts, (thereof as covered or uncovered porches, steps, cornices, eaves and other projections;), **except steps in the front and rear yards**; provided, however, that fences, gates or security stations, ornaments and furniture, and customary summer awnings are permitted in any yard but shall be subject to height limitations. Yard depth shall be measured from the street or lot line to the nearest point on a building in a line perpendicular or normal to such lot or street line. The minimum required yard shall be a strip of land of uniform depth required by this By-Law measured from the lot or street line and adjacent thereto.

7.1 YARD SPACES IN RESIDENTIAL DISTRICTS

A. In Residential Districts there shall be provided on each lot an open yard space of not less than thirty-five (35) feet depth all along the front, not less than twenty (20) feet depth all along rear and not less than fifteen (15) feet depth along each side property line of such lot. No building or structure shall here-in-after be erected, altered or moved so that any part thereof (except eaves, steps or uncovered porches), **except steps in the front and rear yards**, shall be nearer than thirty-five (35) feet from the front lot line, twenty (20) feet from the rear lot line or fifteen (15) feet from the side lot line of any lot in any Residential District except that on a lot bounded by more than one street, there shall be an open yard space of not less than thirty-five (35) feet depth along the lot lines that bound such street. PROVIDED, however, that on each lot in existence when the Zoning By-Law allowed an open side yard space of not less than seven and one-half (7 1/2) feet and which have less than one hundred twenty-five (125) feet frontage there shall be provided an open yard space of not less than seven and one-half (7 1/2) feet along each side property line; further, that on each lot in existence when the Zoning By-Law allowed a front open yard space of twenty (20) feet depth along the lot lines that bound streets, there shall be provided an open yard space of not less than twenty (20) feet depth along said street property lines.

All nonresidential or nonagricultural uses within residential districts shall meet the yard space requirements for business districts as outlined under Section 7.2.

or act in relation thereto.

Submitted by the Town Administrator's Grandfathered Lot Committee and others.

**ARTICLE 10:**

To se if the Town will vote to amend the Billerica Zoning By-Law concerning so-called "grandfathered lots" by (1) deleing Section 9.4.D, 9.4.D.1, 9.4.D.2, 9.4.D.3, and 9.4.D.4 shown in italics (parentheses) below; (2) adding new section 9.4.D and 9.4.E stated below in boldface type (underlined); and (3) by deleting the words shown in italics (parentheses) and adding the words in boldface type (underlined) to Section 17.1.B:

9.4.D (Sub-section A pertaining to single-family residences, shall not apply to any lot which at the time any amendment making said lot non-conforming

becomes effective, is narrower at the street line or if lesser depth or area than therein provided, if:

9.4.D.1 A deed or plan of such lot was duly recorded in the Registry of Deeds before the adoption of any amendment making said lot non-conforming:

9.4.D.2 The dimensions of such lot were in conformance with the provisions of Section 9 in effect at the time of such recording in the Registry of Deeds; and

9.4.D.3 Such lot did not at the time of the adoption of any amendment making said lot non-conforming adjoin other land of the same owner available for use in connection with such lot.

9.4.D.4 Except in a Garden Style Apartment and Townhouse District, only one residential building may be erected upon individual lot, regardless of the size or dimension of the lot.)

**9.4.D All amendments to area, frontage, width, yard, and depth shall be applied consistent with Massachusetts General Laws, Chapter 40A, Section 6.**

**9.4.E. Only one residential building may be erected upon any individual lot, regardless of the size or dimension of the lot, except in a Garden Style Apartment and Townhouse District.**

171.B Conforming to Subsequent Amendments
Construction on or use of property under a special permit shall conform to (any subsequent amendment) **all subsequent amendments** of this By-Law unless the use of or construction is commenced within six months after the issuance of the permit and in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable. A special permit shall lapse two years from the granting thereof of such shorter time as specified in said permit if a substantial use thereof has not sooner commenced except for good cause or, in the case of a permit for construction, if construction has not begun by such date except for good cause, but such period shall be extended by the time required to pursue or await determination of an appeal.

or act in relation thereto.

Submitted by the Town Administrator's Grandfathered Lot Committee and others

**ARTICLE 11:**

To see if the Town will vote to amend the Zoning By-Laws and Zoning Map of the Town by rezoning from an Industrial District to a General Business District the whole or part of land owned by Susannah Caporale, Trustee of the 181 High Street Realty Trust on High Street,Billerica, bounded as described as follows:

**LOT #1**

Beginning on the southeasterly side of High Street, so-called at a spike at land of Johns Manville Products Corporation of Massachusetts at the northwesterly corner of the premises; thence running by said last mentioned land South 72 degrees, 45 feet, 24 inches East one hundred fifty and 00/100 (150.00) feet, said course being the center line of a private way twenty (20.00) feet in width shown and indicated on said plan as "20 Ft. Way";

Thence turning and running South 11 degrees, 01 feet, 10 inches West by Lot #2 three hundred thirty-four and 63/100 (334.63) feet; Thence turning and running North 48 degrees, 04 feet, 31 inches West by land of the Torngren Company, a division of Standex International Corporation as shown on said plan two hundred fifth-seven and 50/100 (257.57) feet; thence turning and running North 29 degrees, 13 feet, 40 inches East by said High Street two hundred thirty and 11/100 (230.11) feet to the point of beginning. Containing 1.24 acres according to said plan.

**LOT #2**

Beginning on the northeasterly side of Lot #1 at the point beginning at Lot #2 as shown on said plan; Thence running by land of Johns Manville Products Corporation of Massachusetts on two (2) courses as follows: South 72 degrees, 45 feet, 24 inches East ninety-three and 93/100 (93.93) feet and South 85 degrees, 07 feet, 44 inches East fifty-six and 07/100 (56.07) feet, said last two (2) courses being the center line of a private way twenty (20) feet in width, shown on said plan as "20 Ft. Way"; Thence turning and running South 10 degrees, 06 feet, 03 inches West three hundred fourteen and 41/100 (314.41) feet by said land of Torngren Company, a division of Standex International Corporation as shown on said plan; Thence turning and running by said last mentioned land North 84 degrees,56 feet, 05 inches West one hundred fifty-five and 00/100 (155.00) feet; turning and running by Lot #1 North 11 degrees, 01 foot, 10 inches East three hundred and thirty-four and 63/100 (334.63) feet to the point of beginning. Containing 1.12 acres according to said plan.

Submitted by: Leonard Caporale, Petitioner and Messrs. MacDonald, Dundey, MacDonald, Celeste and Madames MacDonald, MacDonald, Caporale and Vaughn.

And you are hereby directed to serve this Warrant by posting true and attested copies thereof, one copy at the East Billerica Fire Station; one copy at the Ninety-Nine Restaurant, Lexington Road; one copy at the Pizza Hut, Boston Road; one copy at the Nutting Lake Post Office; one copy at the North Billerica Post Office; one copy at Jim's Automotive/Fahey's Gulf Station, Nashua Road; one copy at Fleet Bank, Boston Road; one copy at the Center Post Office, Boston Road; one copy at the Pinehurst Fire Station; one copy at the North Billerica Fire Station; one copy at the Town Hall, Boston Road; and one copy at the Billerica Public Library.

Given under our hands this Fourth day of October, 1994.

BOARD OF SELECTMEN
S/Ralph M. Krau, Chairman
S/James F. O'Donnell, Jr. - Vice-Chairman
S/Edward J. Hurd, Secretary
S/Arthur L. Doyle
S/Brion M. Cangiamila
A True Copy
ATTEST:
S/David R. Lasky
Constable, Town of Billerica

October 4, 1994

Mrs. Evelyn M. Haines, Asst. Town Administrator
Town Hall
365 Boston Road,
Billerica, MA

Dear Mrs. Haines:

I have posted the Warrant for the Special Town Meeting to be held on Tuesday, October 18, 1994, at 8:00 P.M. at the Maurice A. Buck Memorial Auditorium, 365 Boston Road, Billerica,MA at the following locations:

East Billerica Fire Station
North Billerica Fire Station
Ninety-Nine Restaurant, Lexington Rd.
Town Hall
Pizza Hut, Boston Road
Fleet Bank, Boston Road
Nutting Lake Post Office
Center Post Office, Boston Rd.
North Billerica Post Office
Pinehurst Fire Station
Billerica Public Library, Concord Rd.
Jim's Automotive/Fahey's Gulf Station

Signed:
S/David R. Laskey
Constable, Town of Billerica

# SPECIAL TOWN MEETING
# OCTOBER 18,1994

### MAURICE A. BUCK MEMORIAL AUDITORIUM
### FIRST SESSION - OCTOBER 18, 1994

Prior to the start of the Special Town Meeting, the following persons were appointed Tellers by Moderator Sullivan and sworn in by Town Clerk Shirley E. Schult: Karen Miller, Dorothy Callihan, Rita McKenny and Louise French.

**ARTICLE 1:**

Selectman Hurd moved to postpone Article 1 to the first order of business on November 3rd. Seconded. The motion to postpone CARRIED.

**ARTICLE 2:**

Selectman Hurd moved to authorize the Board of Selectmen to petition the Great and General Court to issue notices of preliminary tax in addition to such notice of preliminary tax as provided in section fifty-seven C of Chapter 59. Seconded.

Finance Committee concurred.

The motion as presented CARRIED unanimously.

**ARTICLE 3:**

Selectman Hurd moved to dismiss Article 3. Seconded. The motion to dismiss CARRIED unanimously.

**ARTICLE 4:**

Selectman Hurd moved to authorize the Board of Selectmen to accept $10,000.00 from New England Telephone and further authorize the Town Administrator to enter a lease/purchase for a service pickup truck for the Fire Department and to use said $10,000.00 for said purpose. Seconded.

Finance Committee concurred

The motion as presented CARRIED unanimously.

**ARTICLE 5:**

Selectman Hurd moved that the Town adopt the provisions of Mass. General Laws, Chapter 40, Section 22F, Fees and Charges - Acceptance of Section. Seconded.

Finance Committee concurred.

The motion as presented CARRIED unanimously.

**ARTICLE 6:**

Selectman Hurd moved to authorize the Board of Selectman to transfer ownership of the River Street Bridge spanning the Concord River, Billerica Bridge No. B-12-002, to the Commonwealth of Massachusetts Highway Department. Seconded.

State Rep. William G. Greene, Jr. explained the merits of transferring ownership of the bridge to the State.

The motion as presented CARRIED unanimously.

**ARTICLE 7:**

Selectman Hurd moved to authorize the Board of Selectmen to discontinue a permanent utility easement on a portion of Broadway Street and Hawthorne Street which was voted at the Annual Fall Town Meeting, October 4, 1983, Article 11. Seconded.

Finance Committee concurred.

The motion as presented CARRIED unanimously.

**ARTICLE 8:**

Selectman Doyle moved to transfer to the Board of Selectmen for the purpose of conveying, and authorize the Board of Selectmen to convey to the Billerica Housing Authority, the land shown on Assessor's Plate 51, Parcel 114, on the condition that such land be used only for parking, and on such other terms and conditions as the Board of Selectmen deem appropriate. Seconded.

Finance Committee concurred.

Selectman Doyle explained the article. Because of the question raised, Selectman Doyle moved to postpone Article 8 to the second order of business on November 3rd. Seconded.

The motion to postpone CARRIED.

**ARTICLE 9:**

Selectman Hurd moved to postpone Article 9 until the third order of business on November 3rd. Seconded. The motion to postpone CARRIED.

**ARTICLE 10:**

Selectman Hurd moved to postpone Article 10 until the fourth order of business on November 3rd. Seconded. The motion to postpone CARRIED,

ARTICLE 11:

Rep. Flynn moved to dismiss Article 11. Seconded. The motion to dismiss CARRIED.

Rep. Moreira moved that the Special Town Meeting stand adjourned until November 3, 1994. Seconded.

The motion to adjourn CARRIED.

Rep. Moreira moved to return to the Annual Fall Town Meeting. Seconded. The motion to return to the Fall Town Meeting CARRIED.

The first session of the Special Town Meeting adjourned at 8:44 P.M.

A True Copy
ATTEST:

Shirley E. Schult,CMC, CMMC
Town Clerk

## SPECIAL TOWN MEETING
## OCTOBER 18, 1994

## MAURICE A. BUCK MEMORIAL AUDITORIUM
## SECOND SESSION - NOVEMBER 3, 1994

A quorum count was taken. With one hundred forty-four (144) Town Meeting Representatives present, the Special Town Meeting was declared in session at 9:23 P.M.

**ARTICLE 1:**

Selectman Hurd moved that the Town appropriate the sum of $1,035,000.00 for the purchase of agricultural property off Route 3A and Wyman Road in Billerica consisting of the following:

Approximately 23 acres of Business and Residentially zoned land at the southwest quadrant of Route 3A and Wyman Road, Billerica, MA, shown as Lot 2 on Land Court Plan No. 13473-C, Lot 36 on Land Court Plan No.

3708-P and Lot 38 on Land Court Plan No. 3708-Q filed with the Middlesex North Registry District of the Land Court and more particularly described in Certificate of Title No. 29170- Owner: John E. Farmer, Trustee of Amethyst Realty Trust; that said property is to be acquired and held by the Board of Selectmen for the purpose of open space including such agricultural uses as the Board of Selectmen shall determine to be consistent with that purpose; that to meet this appropriation the Treasurer with the approval of the Selectmen is authorized to borrow $1,035,000.00 under G.L. c.44, section 7(3); and that the Board of Selectmen is authorized to take any other action necessary to carry out this project. Seconded.

The Finance Committee did not recommend this article on a vote of one (1) in favor, six (6) opposed and two (2) abstentions. There were too many unanswered questions: (1) What is being protected? (2) Does the Trust have a legal right to do this?(3) What is the actual cost to the Town?

Arthur Badger Blackett, Jr., representative of the Trust for Public Land was allowed forward to give an overview of this article.

Rep. Giovino moved to amend the article by adding the following amendment at the end of the original motion: "Furthermore, Town meeting shall establish a five (5) member committee consisting of the following: one (1) member each from the Board of Selectmen, the Finance Committee and the Conservation Commission, appointed by their respective Boards, and two(2) Town Meeting Representatives appointed by the Town Moderator. The Town Administrator shall serve Ex-Officio. The Committee's purpose shall be to make recommendations on the terms of the contract to lease said property, the criteria for awarding the bid, and any passive recreation opportunities appropriate to the property."

The amendment was put to a vote. The motion CARRIED.

Extensive debate ensued for over an hour. Rep. Newman moved the question. Seconded. On a rising vote with one hundred twenty-six (126) in favor and twenty-three (23) opposed, the motion to end debate CARRIED.

The article as presented with the amendment attached thereto was put to a rising vote. With ninety-five (95) in favor and forty-seven (47) opposed, The motion CARRIED.

It was moved and seconded to reconsider Article 1. With twenty-two (22) in favor and ninety-one (91) opposed, the motion to reconsider LOST.

**ARTICLE 8:**

Selectman Hurd moved that the town transfer to the Board of Selectmen for the purpose of conveying, and authorize the Board of Selectmen to convey to the Billerica Housing Authority, the land shown on a portion of Assessor's Plate 50, Parcel 53, on the condition that such land be used only for parking, and on such other terms and conditions as the Board of Selectmen deem appropriate. Seconded.

Finance Committee concurred.

Rep. Conway moved to end debate. Seconded. With one hundred six (106) in favor and one (1) opposed, the motion to end debate CARRIED.

The motion as presented CARRIED unanimously.

**ARTICLE 9:**

Rep. Delorey, member of the Town Administrator's Grandfathered Lot Committee, moved to amend the Billerica Zoning By-Law by deleting the words shown in italics [bracketed] and adding the words in boldface (underlined) type to Section 2.52, 2.62 and 7.1.A.

2.52 STRUCTURE
Anything constructed or erected, the use of which requires a fixed location on the ground, or attachment to something located on the ground, including building, mobile homes, billboards, signs, tanks,swimming pools, **covered or uncovered porches, steps, cornices, eves and other projections,** retired or unregistered trailers, or trailer containers, retaining walls, fences using barbed wire (razor wire, etc.) or the like or parts thereof. However, this definition does not include an ornamental stone boundary wall or fence six feet or less in height above the mean finished grade of the land and adjoining land.

2.62 YARD
An open space on a lot unoccupied by a building or structure or such parts thereof as covered or uncovered porches, steps, cornices, eaves and other projections: provided, however that fences, gates or security stations, ornaments and furniture, and customary summer awnings are permitted in any yard but shall be subject to height limitations, **except steps in the front and rear yards.** Yard depth shall be measured from the street or lot line to the nearest point on a building in a line perpendicular or normal to such lot or street line. The minimum required yard shall be a strip of land of uniform depth required by this By-Law measured from the lot or street line and adjacent thereto.

7.1 YARD SPACES IN RESIDENTIAL DISTRICTS
7.1.A In Residential Districts there shall be provided or each lot an open yard space of not less than thirty-five (35) feet depth all along the front, not less than twenty(20)

feet depth all along rear and not less than fifteen (15) depth along each side property line of such lot. No building or structure shall here-in-after be erected, altered or moved so that any part thereof [(except eaves, steps or uncovered porches)], **except steps in the front and rear yards,** shall be nearer than thirty-five (35) feet from the front line, twenty (20) feet from the rear lot line or fifteen (15) feet from the side lot line of any lot in any Residential District except that on a lot bounded by more than one street, there shall be an open yard space of not less than thirty-five (35) feet depth along the lot lines that bound such street. PROVIDED, however, that on each lot in existence when the Zoning By-Law allowed an open side yard space of not less than seven and one-half (7 1/2) feet and which have less than one hundred twenty-five (125) feet frontage there shall be provided an open yard space of not less than seven and one-half (7 1/2) feet along each side property line; provided further, that on each lot in existence when the Zoning By-Law allowed a front open yard space of twenty (20) feet depth along the lot lines that bound streets, there shall be provided an open yard space of not less than twenty (20 feet depth along said street property lines. All nonresidential or nonagricultural uses within residential districts shall meet the yard space requirements for business districts as outlined under Section 7.2. Seconded.

Finance Committee concurred.

Planning Board Chairman Bossi gave the report of the public hearing held on October 19, 1994. Due notice was given in the Lowell Sun on October 4 and October 11, 1994. With four members present and voting, it was voted four (4) in favor of this article.

The motion as presented was put to a rising vote. With ninety-six (96) voting in favor and two (2) opposed, the motion as resented CARRIED.

Approved by Attorney General February 13, 1994

**ARTICLE 10:**

Rep. Delorey moved to dismiss Article 10. Seconded.

The motion to dismiss CARRIED.

Rep. Moriera moved to dissolve the Special Town Meeting. Seconded. The motion to dissolve CARRIED.

The Special Town Meeting stood adjourned at 11:26 P.M.

A True Copy
ATTEST:

Shirley E. Schult, CMC, CMMC
Town Clerk

# COMMONWEALTH OF MASSACHUSETTS
# MICHAEL JOSEPH CONNOLLY, SECRETARY
# WARRANT FOR STATE ELECTION

SS.

To either of the Constable of the Town of Billerica:
GREETINGS:

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in Elections to vote at:

| | |
|---|---|
| Precinct 1 & 6 | Parker School, River Street |
| Precinct 2 & 8 | Hajjar School, Rogers Street |
| Precinct 3 & 9 | Ditson School, Boston Road |
| Precinct 4 & 7 | Vining School, Lexington Road |
| Precinct 5 & 10 | Kennedy School, Kimbrough Road |

on TUESDAY, THE EIGHTH DAY OF NOVEMBER, 1994 from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates of political parties for the following offices:

| | |
|---|---|
| U.S. Senator | For the Commonwealth |
| Governor | For the Commonwealth |
| Lt. Governor | For the Commonwealth |
| Attorney General | For the Commonwealth |
| Secretary | For the Commonwealth |
| Treasurer | For the Commonwealth |
| Auditor | For the Commonwealth |
| Representative in Congress | Fifth Congressional District |
| Councillor | Sixth Councillor District |
| Senator in General Court | Fourth Middlesex Senatorial District |
| Representative in General Court | Twenty-Fourth Middlesex Representative District |
| District Attorney | Northern District |
| Clerk of Courts | Middlesex County |
| Register of Deeds | Middlesex Northern District |
| County Commissioner | Middlesex County |

**QUESTIONS**

#1 - Regulating Spending on Ballot Questions Campaigns
#3 - Seat Belt Law
#3 - Changing the Law Regarding Student Fees
#4 - Term Limits
#5 - Opening of Retail Stores on Sunday Mornings and Certain Holidays
#6 - Graduated Income Tax
#7 - Personal Income Tax Change
#8 - State Highway Fund Changes
#9 - Prohibiting Rent Control

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 17th day of October, 1994.

S/James F. O'Donnell, Jr.
S/Edward J. Hurd
Ralph M. Krau
S/Arthur L. Doyle
S/Brion M. Cangiamila
SELECTMEN OF BILLERICA

And you are hereby directed to serve this Warrant by posting true and attested copies thereof, one copy at the East Billerica Fire Station; one copy at the Ninety-Nine Restaurant, Lexington Road; one copy at the Pizza Hut, Boston Road; one copy at the Nutting Lake Post Office; one copy at the North Billerica Post Office; one copy at Jim's Automotive/Fahey's Gulf Station, Nashua Road; one copy at the Center Post Office, Boston Road; one copy at the Pinehurst Fire Station; one copy at the North Billerica Fire Station; one copy at the Town Hall; one copy at the Billerica Public Library and one copy at the Fleet Bank, Boston Road.

A True Copy
ATTEST:

S/David R. Lasky
Constable in the Town of Billerica
October 27, 1994

October 27, 1994

Shirley E. Schult, CMC, CMMC
Town Clerk
Town Hall
Billerica, MA 01821

Dear Mrs. Schult:

I have posted the WARRANT for the STATE ELECTION to be held on Tuesday, November 8, 1994 at the following locations

East Billerica Fire Station
Ninety-Nine Restaurant, Lexington Road
Pizza Hut, Boston Road
Nutting Lake Post Office

North Billerica Post Office
Jim's Automotive/Fahey's Gulf Station, Nashua Road
Fleet Bank, Boston Road
Center Post Office, Boston Road
Pinehurst Fire Station
North Billerica Fire Station
Town Hall
Billerica Public Library

Signed:
S/David R. Lasky
Constable, Town of Billerica

# STATE ELECTION - NOVEMBER 8, 1994
# BILLERICA, MASSACHUSETTS

| | Pr. 1 | Pr. 2 | Pr. 3 | Pr. 4 | Pr. 5 | Pr. 6 | Pr. 7 | Pr. 8 | Pr. 9 | Pr. 10 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **U.S. SENATOR (Vote - 1)** | | | | | | | | | | | |
| Edward M. Kennedy | 739 | 805 | 721 | 658 | 801 | 765 | 785 | 730 | 738 | 807 | 7,549 |
| W. Mitt Romney | 511 | 578 | 512 | 570 | 645 | 611 | 617 | 547 | 586 | 618 | 5,795 |
| Lauraleigh Dozier | 22 | 17 | 9 | 9 | 15 | 10 | 13 | 9 | 6 | 10 | 120 |
| William A. Ferguson, Jr. | 2 | 3 | 4 | 4 | 1 | 2 | 4 | 4 | 1 | 1 | 26 |
| Scatterings | | | 1 | 2 | | | | 2 | 3 | 2 | 10 |
| Blanks | 10 | 17 | 20 | 11 | 17 | 16 | 13 | 21 | 21 | 8 | 154 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **GOVERNOR/LIEUTENANT GOVERNOR (Vote -1)** | | | | | | | | | | | |
| Weld & Cellucci | 932 | 1,065 | 939 | 1,001 | 1,133 | 1,096 | 1,090 | 971 | 1,052 | 1,086 | 10,365 |
| Roosevelt & Massie | 327 | 319 | 302 | 227 | 327 | 284 | 302 | 309 | 277 | 337 | 3,011 |
| Cook & Crawford | 14 | 19 | 6 | 9 | 6 | 6 | 18 | 10 | 4 | 4 | 96 |
| Rebello & Giske | 1 | 0 | 2 | 0 | 0 | 1 | 3 | 3 | 2 | 0 | 12 |
| Scatterings | | | | 1 | | | 1 | | 1 | 2 | 5 |
| Blanks | 10 | 17 | 18 | 16 | 13 | 17 | 18 | 20 | 19 | 17 | 165 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **ATTORNEY GENERAL (Vote - 1)** | | | | | | | | | | | |
| L. Scott Harshbarger | 813 | 939 | 827 | 778 | 961 | 857 | 901 | 835 | 836 | 915 | 8,662 |
| Janis M. Berry | 425 | 443 | 400 | 437 | 461 | 498 | 480 | 433 | 470 | 471 | 4,518 |
| Scatterings | | | 1 | | | 1 | 2 | | 1 | | 5 |
| Blanks | 46 | 38 | 39 | 39 | 57 | 48 | 49 | 45 | 48 | 60 | 469 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **SECRETARY OF STATE (Vote -1)** | | | | | | | | | | | |
| Arthur E. Chase | 433 | 457 | 399 | 471 | 557 | 526 | 520 | 452 | 454 | 513 | 4,782 |
| William Francis Galvin | 689 | 788 | 712 | 624 | 736 | 707 | 737 | 695 | 748 | 763 | 7,199 |
| Peter C. Everett | 46 | 55 | 38 | 45 | 55 | 36 | 49 | 41 | 38 | 32 | 435 |
| Scatterings | | | | | | | | | 3 | | 3 |
| Blanks | 116 | 120 | 118 | 114 | 131 | 135 | 126 | 125 | 112 | 138 | 1,235 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **TREASURER (Vote - 1)** | | | | | | | | | | | |
| Joseph Daniel Malone | 825 | 909 | 825 | 847 | 1,011 | 953 | 973 | 866 | 903 | 930 | 9,042 |
| Shannon Patricia O'Brien | 335 | 376 | 344 | 309 | 358 | 331 | 316 | 352 | 347 | 399 | 3,467 |
| Susan B. Poulin | 42 | 60 | 39 | 30 | 46 | 44 | 55 | 30 | 33 | 40 | 419 |
| Thomas P. Tierney | 36 | 23 | 21 | 28 | 26 | 29 | 46 | 22 | 23 | 22 | 276 |
| Scatterings | | | | | | | | | 1 | | 1 |
| Blanks | 46 | 52 | 38 | 40 | 38 | 47 | 42 | 43 | 48 | 55 | 449 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |

| | Pr. 1 | Pr. 2 | Pr. 3 | Pr. 4 | Pr. 5 | Pr. 6 | Pr. 7 | Pr. 8 | Pr. 9 | Pr. 10 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **AUDITOR (Vote - 1)** | | | | | | | | | | | |
| A. Joseph Denucci | 861 | 962 | 866 | 805 | 1,000 | 923 | 941 | 850 | 931 | 955 | 9,094 |
| Forester A. "Tim" Clark, Jr. | 291 | 304 | 264 | 325 | 347 | 324 | 336 | 322 | 299 | 349 | 3,161 |
| Geoff M. Weil | 34 | 47 | 31 | 35 | 35 | 38 | 50 | 37 | 30 | 30 | 367 |
| Scatterings | | | | | | | | | 3 | | 3 |
| Blanks | 98 | 107 | 106 | 89 | 97 | 119 | 105 | 104 | 92 | 112 | 1,029 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **REPRESENTATIVE IN CONGRESS (Vote - 1)** | | | | | | | | | | | |
| Martin T. Meehan | 856 | 1,004 | 849 | 803 | 1,007 | 905 | 961 | 861 | 926 | 999 | 9,171 |
| David E. Coleman | 367 | 365 | 344 | 385 | 410 | 442 | 402 | 381 | 368 | 393 | 3,857 |
| Scatterings | 1 | 1 | 1 | | 1 | | | 1 | | | 5 |
| Blanks | 60 | 50 | 73 | 66 | 61 | 57 | 69 | 70 | 61 | 54 | 621 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **COUNCILLOR (Vote -1)** | | | | | | | | | | | |
| Dorothy A. Kelly Gay | 666 | 784 | 698 | 602 | 749 | 697 | 731 | 672 | 715 | 760 | 7,074 |
| Virgil J. Aiello | 449 | 461 | 407 | 486 | 543 | 531 | 507 | 461 | 470 | 490 | 4,805 |
| Scatterings | | 2 | 1 | | | 2 | 1 | | | | 6 |
| Blanks | 169 | 173 | 161 | 166 | 187 | 174 | 193 | 180 | 170 | 196 | 1,769 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **SENATOR IN GENERAL COURT (Vote -1)** | | | | | | | | | | | |
| Robert A. Havern, III | 434 | 496 | 398 | 380 | 480 | 440 | 511 | 477 | 440 | 485 | 4,541 |
| Brion M. Cangiamila | 790 | 866 | 819 | 815 | 953 | 910 | 863 | 778 | 861 | 900 | 8,555 |
| Scatterings | | | 1 | | | | | 1 | 2 | | 4 |
| Blanks | 60 | 58 | 49 | 59 | 46 | 54 | 58 | 57 | 52 | 61 | 554 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **REPRESENTATIVE IN GENERAL COURT (Vote - 1)** | | | | | | | | | | | |
| William G. Greene, Jr. | 1,020 | 1,145 | 1,012 | 976 | 1,169 | 1,111 | 1,155 | 1,027 | 1,132 | 1,156 | 10,903 |
| Scatterings | 3 | 6 | 2 | 10 | 12 | 8 | 1 | 9 | 5 | 1 | 57 |
| Blanks | 261 | 269 | 253 | 268 | 298 | 285 | 276 | 277 | 218 | 289 | 2,694 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **DISTRICT ATTORNEY (Vote - 1)** | | | | | | | | | | | |
| Thomas F. Reilly | 931 | 1,046 | 917 | 890 | 1,059 | 986 | 1,048 | 924 | 1,030 | 1,060 | 9,891 |
| Scatterings | 2 | 1 | 4 | 6 | 7 | 6 | 1 | 12 | 13 | 2 | 54 |
| Blanks | 351 | 373 | 346 | 358 | 413 | 412 | 383 | 377 | 312 | 384 | 3,709 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **CLERK OF COURTS (Vote - 1)** | | | | | | | | | | | |
| Edward J. Sullivan | 934 | 1,015 | 910 | 871 | 1,029 | 964 | 1,013 | 899 | 1,006 | 1,036 | 9,677 |
| Scatterings | 2 | 1 | 2 | 4 | 6 | 2 | 2 | 12 | 3 | | 34 |
| Blanks | 348 | 404 | 355 | 379 | 444 | 438 | 417 | 402 | 346 | 410 | 3,943 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **REGISTER OF DEEDS (Vote - 1)** | | | | | | | | | | | |
| Richard P. Howe, Jr. | 416 | 492 | 421 | 372 | 429 | 431 | 440 | 428 | 450 | 449 | 4,328 |
| John L. Noonan | 673 | 751 | 676 | 723 | 864 | 791 | 796 | 717 | 755 | 808 | 7,554 |
| Patrick A. O'Connor | 88 | 81 | 46 | 54 | 66 | 73 | 73 | 62 | 51 | 59 | 653 |
| Scatterings | | | | | | | | | 2 | | 2 |
| Blanks | 107 | 96 | 124 | 105 | 120 | 109 | 123 | 106 | 97 | 130 | 1,117 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |

| | Pr. 1 | Pr. 2 | Pr. 3 | Pr. 4 | Pr. 5 | Pr. 6 | Pr. 7 | Pr. 8 | Pr. 9 | Pr. 10 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **COUNTY COMMISSIONER (Vote - 1)** | | | | | | | | | | | |
| Francis X. Flaherty | 643 | 736 | 647 | 604 | 720 | 645 | 707 | 633 | 725 | 744 | 6,804 |
| Barbara J. Collins | 393 | 408 | 366 | 416 | 481 | 479 | 451 | 415 | 418 | 424 | 4,251 |
| Scatterings | 1 | | | | | 2 | | | 3 | | 6 |
| Blanks | 247 | 276 | 254 | 234 | 278 | 278 | 274 | 265 | 209 | 278 | 2,593 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **QUESTION #1 (Regulate Campaign Spending)** | | | | | | | | | | | |
| Yes | 534 | 554 | 542 | 497 | 570 | 574 | 577 | 561 | 560 | 542 | 5,511 |
| No | 697 | 808 | 668 | 723 | 867 | 797 | 812 | 714 | 749 | 839 | 7,674 |
| Blanks | 53 | 58 | 57 | 34 | 42 | 33 | 43 | 38 | 46 | 65 | 469 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **QUESTION #2 (Seat Belt Law)** | | | | | | | | | | | |
| Yes | 598 | 673 | 628 | 646 | 749 | 652 | 740 | 634 | 660 | 696 | 6,676 |
| No | 649 | 700 | 599 | 592 | 703 | 725 | 675 | 663 | 660 | 716 | 6,682 |
| Blanks | 37 | 47 | 40 | 16 | 27 | 27 | 17 | 16 | 35 | 34 | 296 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **QUESTION #3 (Student Fees)** | | | | | | | | | | | |
| Yes | 501 | 655 | 538 | 612 | 687 | 634 | 714 | 758 | 564 | 674 | 6,337 |
| No | 701 | 671 | 639 | 581 | 714 | 712 | 639 | 508 | 713 | 682 | 6,560 |
| Blanks | 82 | 94 | 90 | 61 | 78 | 58 | 79 | 47 | 78 | 90 | 757 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **QUESTION #4 (Term Limits)** | | | | | | | | | | | |
| Yes | 677 | 776 | 651 | 714 | 804 | 777 | 836 | 776 | 725 | 776 | 7,512 |
| No | 559 | 581 | 549 | 505 | 618 | 600 | 562 | 510 | 586 | 608 | 5,678 |
| Blanks | 48 | 63 | 67 | 35 | 57 | 27 | 34 | 27 | 44 | 62 | 464 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **QUESTION #5 (Sunday & Holiday Store Openings)** | | | | | | | | | | | |
| Yes | 665 | 723 | 619 | 628 | 691 | 735 | 762 | 686 | 603 | 727 | 6,839 |
| No | 579 | 645 | 618 | 606 | 752 | 649 | 651 | 609 | 727 | 677 | 6,513 |
| Blanks | 40 | 52 | 30 | 20 | 36 | 20 | 19 | 18 | 25 | 42 | 302 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **QUESTION #6 (Graduated Income Tax)** | | | | | | | | | | | |
| Yes | 303 | 356 | 354 | 269 | 357 | 290 | 296 | 335 | 315 | 339 | 3,214 |
| No | 947 | 1,001 | 872 | 948 | 1,067 | 1,085 | 1,088 | 946 | 992 | 1,050 | 9,996 |
| Blanks | 34 | 63 | 41 | 37 | 55 | 29 | 48 | 32 | 48 | 57 | 444 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **QUESTION #7 (Personal Income Tax Changes)** | | | | | | | | | | | |
| Yes | 277 | 344 | 338 | 261 | 337 | 259 | 298 | 331 | 294 | 339 | 3,078 |
| No | 959 | 1,008 | 888 | 956 | 1,093 | 1,113 | 1,087 | 956 | 1,018 | 1,052 | 10,130 |
| Blanks | 48 | 68 | 41 | 37 | 49 | 32 | 47 | 26 | 43 | 55 | 446 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |
| **QUESTION #8 )State Highway Fund Changes)** | | | | | | | | | | | |
| Yes | 946 | 1,026 | 922 | 1,010 | 1,152 | 1,056 | 1,150 | 1,025 | 991 | 1,103 | 10,381 |
| No | 275 | 321 | 284 | 209 | 275 | 311 | 238 | 255 | 321 | 280 | 2,769 |
| Blanks | 63 | 73 | 61 | 35 | 52 | 37 | 44 | 33 | 43 | 63 | 504 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |

| | Pr. 1 | Pr. 2 | Pr. 3 | Pr. 4 | Pr. 5 | Pr. 6 | Pr. 7 | Pr. 8 | Pr. 9 | Pr. 10 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **QUESTION #9 (Prohibiting Rent Control)** | | | | | | | | | | | |
| Yes | 612 | 678 | 625 | 690 | 744 | 730 | 720 | 682 | 657 | 768 | 6,906 |
| No | 598 | 647 | 563 | 513 | 664 | 622 | 642 | 587 | 639 | 602 | 6,077 |
| Blanks | 74 | 95 | 79 | 51 | 71 | 52 | 70 | 44 | 59 | 76 | 671 |
| Total | 1,284 | 1,420 | 1,267 | 1,254 | 1,479 | 1,404 | 1,432 | 1,313 | 1,355 | 1,446 | 13,654 |

# STATE ELECTION - NOVEMBER 8, 1994
# ELECTION WORKERS

**PRECINCT 1**

| | |
|---|---|
| Warden | D-Catherine M. Houlne |
| Clerk | R-Paula C. Baldwin |
| Deputy Warden | U-Dianne S. Bone |
| Deputy Clerk | R-Donna Jean McCoy |
| Inspector | D-Rose A. Doherty |
| Inspector | R-Iris Greenleaf |
| Deputy Inspector | U-Ilona Wronski |
| Deputy Inspector | R-Shirley J. Gullage |

**PRECINCT 2**

| | |
|---|---|
| Warden | D-June F. DePinto |
| Clerk | R-Mary I. True |
| Deputy Warden | D-Georgiana A. Menezes |
| Deputy Clerk | R-Susan S. Gee |
| Inspector | D-Estelle M. McCarthy |
| Inspector | R-John C. Gherson |
| Deputy Inspector | U-Sandra Crandall |
| Deputy Inspector | U-Joan MacMillan |

**PRECINCT 3**

| | |
|---|---|
| Warden | R-Barbara A. Roberts |
| Clerk | D-Patricia A. Donovan |
| Deputy Warden | U-Carol A. Ryan |
| Deputy Clerk | U-Joan F. Mitza |
| Inspector | R-Joyce R. Brosnahan |
| Inspector | D-Ralph Morrison |
| Deputy Inspector | R-Edna G. McDewell |
| Deputy Inspector | D-Ellen D. Rawlings |

**PRECINCT 4**

| | |
|---|---|
| Warden | D-Dorothy M. Ryan |
| Clerk | R-Mary A. Overy |
| Deputy Warden | D-Barbara A. Flynn |
| Deputy Clerk | U-Eleanor A. Sievert |
| Inspector | D-Doris R. Hanson |
| Inspector | R-Alan Wright |
| Deputy Inspector | D-Emma R. Columbus |
| Deputy Inspector | R-Albert F. Gabalis |

**PRECINCT 5**

| | |
|---|---|
| Warden | D-Audrey M. Rose |
| Clerk | R-Margaret M. Hamilton |
| Deputy Warden | U-Karen A. Warren |
| Deputy Clerk | R-Genevieve Finlayson |
| Inspector | D-Mary Bourque |
| Inspector | U-Mary A. Wilson |
| Deputy Inspector | D-Virginia Wrobel |
| Deputy Inspector | R-Shirley A. Smith |

**PRECINCT 6**

| | |
|---|---|
| Warden | D-Anita Gass |
| Clerk | R-Yoshiko A. Wright |
| Deputy Warden | U-Pauline M. Lloyd |
| Deputy Clerk | R-Catherine A. Lawson |
| Inspector | D-Eleanor M. Alger |
| Inspector | R-Barbara Woodbury |
| Deputy Inspector | U-Dorothy O'Brien |
| Deputy Inspector | R-Lillie Ralston |

**PRECINCT 7**

| | |
|---|---|
| Warden | R-Arthur H. MacNeil |
| Clerk | U-Dorothy P. McDewell |
| Deputy Warden | R-Rachel L. Goding |
| Deputy Clerk | D-Donald J.Ryan |
| Inspector | R-Dorothy M. Pearson |
| Inspector | D-Angela DeMeo |
| Deputy Inspector | D-Margaret Palasek |
| Deputy Inspector | D- James Haines |

**PRECINCT 8**

| | |
|---|---|
| Warden | D-Joanne Costedio |
| Clerk | R-Marion E. Potter |
| Deputy Warden | D-Catherine J. Mullen |
| Deputy Clerk | R-Margaret B. Ingraham |
| Inspector | D-Elda Medeiros |
| Inspector | R-Agnes Wain |
| Deputy Inspector | D-Patricia Gualtieri |
| Deputy Inspector | R-Nancy Emus |

**PRECINCT 9**

| | |
|---|---|
| Warden | D-Alice A. Haines |
| Clerk | U-Jean M. Roach |
| Deputy Warden | D-Jean M. Sarno |
| Deputy Clerk | R-Bessie M. Bacon |
| Inspector | D-Sandra M. Matthews |
| Inspector | R-M. Eileen Cotter |
| Deputy Inspector | U-Mary J. Sarno |
| Deputy Inspector | R-Barbara Bailey |

**PRECINCT 10**

| | |
|---|---|
| Warden | R-Roger Gosselin |
| Clerk | U-James V. Hoyt, Jr. |
| Deputy Warden | R-Barbara Reinecker |
| Deputy Clerk | D-Nancy Desmond |
| Inspector | R-Earle Merrow |
| Inspector | D-Delores Ballou |
| Deputy Inspector | U-Ellen Bordieri |
| Deputy Inspector | D-Margaret DePietro |

# REPORT OF THE BOARD OF SELECTMEN AND TOWN ADMINISTRATOR

The Board of Selectmen and the Town Administrator continued in 1994 to address many of the issues important to the residents of Billerica. As our financial condition slowly improved, the Board directed the Administration to focus on some of our long delayed infrastructure improvements for the Community and as calendar year 1994 drew to a close, we were preparing to address many capital improvements through the FY95 budget process. The Board continued it very busy schedule by holding 38 public meetings during the year as well as innumerable subcommittee and special sessions with the Administration on a wide variety of important matters. Additionally, our members took on an assortment of tasks designed to help the Administration in many areas and provide advice and counsel where we felt it was necessary.

The election in 1994 provided a major change in the composition of the Board when a long time Selectman Thomas "Hap" Conway, Jr. decided to not seek re-election after 26 years on the Board and 38 total years of service to the Town! Obviously, Tom's experience, knowledge, humor and total dedication to this community will be sorely missed. In a fitting tribute to Tom, the Board proclaimed and dedicated our Town Hall Hearing Room as the "Thomas H. Conway, Jr. Hearing Room" in order to acknowledge in a small way his major contributions toward making Billerica a better place to live and work. Finally, the Board honored Tom with the first annual "Distinguished Community Service Award" presented to him on March 5, 1994. Good Luck, Tom!

The election itself brought the board two new members to serve as the Chief Elected Officers in Billerica. Long time Finance Committee member, Ed Hurd and political newcomer, James O'Donnell were elected to serve after an invigorating election season. As the Board reorganized, veteran Selectman, Arthur L. Doyle, was chosen as the Chairman, James O'Donnell the Vice-Chairman and Ed Hurd was selected as Secretary to the Board. With this newly constituted Board, we embarked upon a number of new initiatives with the Administration as we approached the new fiscal year.

**BUDGET**

The 1994 budget for the Town included a number of new initiatives to provide better service to our residents and also continued with our overall philosophy of conservative revenue projections, reasonable salary wage adjustments for our personnel and controlled expenditures in all of our material and supply accounts. For the first time since 1990, the Town had the luxury of positive balances in a number of expense items and combined with our continued aggressive collection scheme, we were able to report a positive "Free Cash" balance at the close of our fiscal year of $1,169,000! Additionally, the Town Administrator proposed to the Board and we heartily endorsed,a plan to begin to identify our long term needs regarding roadway management in our Community over the next ten years. This "Pavement Management Plan" affords the Town our first comprehensive analysis of the condition of our roadways which because of budget considerations have been largely ignored over the past five years. We should begin to see construction activity consistent with our plan in 1995 and 1996. The Board has committed itself to infrastructure improvements to be funded within our available budget without the need for a budget override and the Town Administrator will be preparing his future budgets based on this philosophy. We are pleased to finally have resolved the "deficit" budget problems brought on by the recession and will continue to be vigilant in our monitoring of budget expenditures.

**WATER TREATMENT PLANT**

As reported last year, the Town has engaged the services of Camp Dresser & McKee to evaluate the "brown water" problem in Billerica. Following a series of pilot or benchmark testing schedules, it appears ozone treatment will correct the brown water problem at the plant. However, while evaluating this problem, the Town Administrator directed our engineer to evaluate all aspects of the plant operations to comply with the new enforcement regulations being promulgated by both the E.P.A. and the D.E.P. in compliance with the strict Clean Water Act standards. It now appears work on the plant may exceed a price tag of $10,000,000! The Administration is evaluating this new data and will make suggestions for funding to the Board of Selectmen in 1995 and 1996. In the meantime, engineering and design services for the ozonization process is proceeding and we expect that this improvement will be accomplished in 1995 and 1996.

**COUNTY LAND**

One of the highlights of our year was the acceptance at the Fall Town Meeting of 194+ acres of land from the County to be utilized for passive recreation by the Town of Billerica. This former County land has been in dispute for years and our Community has actively pursued ownership from the County to preserve this prime real estate for the enjoyment of our residents in perpetuity. The Board created a "Land Use" committee made up of representatives from our Recreation Department, Conservation Commission, sports organizations, the Administration, citizens at

large and chaired by Selectman Tom Conway. Much credit goes to all who participated in this important milestone for the Town including Representative Bill Greene, but clearly the driving force for our success was Tom Conway. We are currently evaluating what should be done with this property and a long range land use plan is being developed to assure the preservation of this important land area in Billerica.

**PERSONNEL CHANGES**

1994 saw changes in two very important positions within the Town Hall Government. Following a probationary period in which both the Administration and the Board of Selectmen recognized that newly appointed Town Accountant Valerie Connor was not meeting our expectations, the Board, at the urging of the Town Administrator, terminated our employment agreement with Ms. Connor and immediately moved to fill this critical position within the Town Management structure. As 1994 came to a close, the Board was very close to selecting a candidate to fill this role. Additionally, 1994 saw the retirement of long time Police Chief, John Barretto. The Town Administrator moved quickly to fill this critical position and interviewed three excellent candidates from within the department for this title. The Town Administrator utilized a unique interview process by utilizing a citizen screening committee comprised of a business representative, a local resident with senior managerial expertise, an attorney and a private citizen with a professional police background. Following a lengthy process, the Town Administrator selected Lt. Paul Matthews to be the new Police Chief in Billerica. A heartfelt thanks should be extended to our citizen committee and our best wishes are with Chief Matthews as he looks to bring the Police Department into the next century. Finally, the Board and the Administration, on behalf of all the residents of Billerica, commend John Barretto for his outstanding dedicated service to this Community and we wish him much happiness and enjoyment in his retirement.

**E.T.A. DESIGNATION/ECONOMIC DEVELOPMENT**

The designation of Billerica as a State Economic Target Area is indeed a major accomplishment and a key component of our overall economic development plan. Clearly, this designation allows us to offer many incentives to businesses seeking to expand or relocate into Billerica. The impetus is obviously to create jobs but not building our economic base it affords us the opportunity to mitigate residential tax increases because of a healthy, vibrant and expanding commercial/industrial sector. Representative Bill Greene again deserves credit and our Town Administrator, Bob Mercier, has taken the Town's leadership role in this endeavor. The Billerica Town Meeting has unanimously endorsed this initiative and we look forward to working with our first "Certified Project" sometime in 1995. Additionally, Billerica has been the happy recipient of the news that Wang Corp. announced their plans to merge with Groupe Bull and move their entire operation into Billerica! Our Town is also the host of major expanding corporations such as Bay Networks, the Boston Globe, C.R. Bard, Office Max and Peritus Software.

The Board of Selectmen, Town Administrator and Staff have also been active in the following: Middlesex Selectmen's Association, Northern Middlesex Area Commission, Mass. Municipal Association, Middlesex County Advisory Board, Street Acceptance and Discontinuance Committee, Mass. Interlocal Insurance Association, Billerica Housing Partnership Committee, Council on Aging Drop in Center, and many others.

The Board of Selectmen, Town Administrator and Staff acknowledge and appreciate the cooperation and assistance that has been provided by all Town boards, committees, and departments during the year.

BOARD OF SELECTMEN:
Arthur L. Doyle, Chairman
James F. O'Donnell, Vice-Chairman
Edward J. Hurd, Secretary
Brion M. Cangiamila

ADMINISTRATION:
Robert A. Mercier,Town Administrator
Evelyn M. Haines, Assistant Town Administrator

# ARTS COUNCIL

The Billerica Cultural Council was very fortunate to receive $17,264 from the Massachusetts Cultural Council for local Cultural Council Grants this year. The Arts Council meets in the Vivian Porter Art Gallery at the town hall on the first Tuesday of each month.

Grants administered this year were to:
Billerica Colonial Minutemen for support of group re-creating history.
Billerica Historical Society for publication of a booklet summarizing historical highlights of Billerica.
Billerica Memorial High School for a performance of "Romeo and Juliet".
Billerica Museum for publication of a book of historical photographs.
Billerica Gifted Arts Program for a program exploring how art and philosophy are related.
Billerica Public Schools for a residency involving various authors.
Frederick J. Dutile School for a theater arts workshop after school.
Marshall Middle School for performances of classic literary tales by Chamber Repertory Theater.
Parker Elementary School PTO for a variety of visiting artists.
Eugene C. Vining Elementary School for a performance by storyteller Jo-Ann Wangh.
Thomas Ditson School for admissions to UMASS Lowell Center for the Arts.
Hajjar Elementary School for admissions to UMASS Lowell Center for the Arts.
J.F. Kennedy Elementary School for admissions to Museum of Fine Arts, Boston
Eugene C. Vining Elementary School for admissions to UMASS Lowell Center for the Arts.
Helene Levasseur for art classes for Billerica senior citizens.
Susanne M. Robertson for writing a book highlighting New England women's contributions to music.

In addition to administering grants, we feature a new local artist each month at the Vivian Porter Art Gallery. The artist's "Opening" usually falls as close to the first of the month as possible. The Gallery is open on Wednesdays and Thursdays from 10 am to 2 pm or by request to any of the members listed below.

This year members included:
Karen Farmer, Chairwoman
Dorothea MacNeill, Treasurer
Elizabeth Caporale
Linda Dickenson
Deborah Lashley
AnnMarie Norman
Helen Potter
Nancy Vollel
Volunteers: Rosario Celeste and Nancy Evans

# BOARD OF APPEAL

To the Honorable Board of Selectmen,

Gentlemen and Madam,
The Zoning Board of Appeal hereby submits its 1994 Annual report to the Town.

The Zoning Board of Appeal is a Quasi-Judicial Board, which operates under the mandates of Massachusetts General Laws Annotated Chapter 40A and the Zoning By-Laws of the Town of Billerica.

The board consists of five (5) regular members and two (2) alternate members appointed by the Board of Selectmen. The members receive no financial compensation for their services to the board. The town does provide office space as well as clerical and judicial assistance to the board.

The Board of Appeal members are as follows: John F. Gray, Jr., Chairman; Doris M. Pearson, Vice-Chairman; Ellen Sargent, Secretary, Joseph P. Shaw and Francis M. Fraine, Patricia C. Flemming, Alternate and Jay H. Thomas, III, Alternate.

We would like to welcome Francis M. Fraine as a regular member also, Patricia C. Flemming and Jay H. Thomas, III, as alternate members to the board.

The Board of Appeal would like to thank Donald J. Flynn for his excellent dedication and service to the board and the Town of Billerica.

The board scheduled hearings on the average of twice a month in 1994 to handle the numerous petitions filed with the Town Clerk. Petitions heard by the board are open to the public as established under Chapter 40A, 40B and 808 of the Massachusetts General Laws.

To be granted A Variance, a petitioner must show the board that owing to circumstances relating to the soil con-

ditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ordinance or by law would involve a substantial hardship, financial or otherwise, to the petitioner or appellant. The petitioner must also show the board that by granting the petition, it would not be a substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or Zoning By-law.

To be granted a Special Permit the petitioner must show how the public convenience and welfare will be substantially served and how it will not impair the status of the neighborhood; that the permission requested will be in harmony with the general purposes and intent of the regulations in the Zoning By-Laws. Under Chapter 40A to grant a Variance or a Special Permit the petitioner has to receive four (4) affirmative votes from a five (5) member board. Two (2) negative votes will deny the petitioner a Variance or Special Permit for two (2) years.

The Zoning Board of Appeal follows Chapter 40B of Massachusetts General Laws when conducting public hearings for Comprehensive Permits. Hearings must be scheduled within 30 days from the date the petition is filed with the Town Clerk. The board has 40 days after the termination of the hearing to render their decision. Approval for a Comprehensive Permit requires a majority vote of the Board.

The board of Appeal conducted a total of one hundred and fifty (150) hearings in 1994. These hearings were for Special Permits, Variances and Appeals of the Inspector of Buildings decisions. The board must hold a hearing within sixty-five (65) days and vote to grant or to deny a variance within one hundred (100) days from the date the variance request was filed at the Town Clerk's Office. The board shall hold a hearing for a special permit within sixty five (65) days of filing the request and they must vote to grant or deny the special permit within ninety (90) days from the zoning board hearing. Failure for the zoning board to vote on a Variance or Special Permit within the legal time frame results in an automatic granting of the petitioner's request.

The Zoning Board of Appeal decisions for the 150 hearings are as follows:

| | Granted | Denied | Withdrawn | Total |
|---|---|---|---|---|
| Special Permits | 62 (95.38%) | 1 (1.54%) | 2 (3.08%) | 65 (100%) |
| Variances | 70 (84.34%) | 7 (8.43%) | 6 (7.23%) | 83 (100%) |
| Appeals of Inspector of Buildings Decision | 0 (0%) | 2 (100%) | 0 (0%) | 2 (100%) |
| Total | 132 (88.0%) | 10 (6.67%) | 8 (5.33%) | 150 (100%) |

The 150 petitions to the Board of Appeal in 1994 were voted on by the Zoning Board with objectivity and reasonableness towards the petitioner, as well as evaluating all the concerns of the abutters and the needs and the community.

Even though many of the cases are similar, each case is voted on its own individual merits. There are many issues to be considered before voting. Each decision is made in the best interest of the Town of Billerica and its residents.

The Board of Appeal would like to thank our clerk, Jane M. Nolan, for her dedication and professionalism demonstrated throughout the years to the board and the general public.

We would also like to thank the Town Clerk and her staff, Town Administrator's Office, Building Department, Assessor's Office, other town departments and our Town Counsel for their cooperation and continued support during 1994.

John F. Gray, Jr., Chairman
Doris M. Pearson, Vice-Chairman
Ellen Sargent, Secretary
Joseph P. Shaw, Member
Francis M. Fraine, Member
Patricia C. Flemming, Alternate
Jay H. Thomas, III, Alternate

# BUILDING DEPARTMENT

I hereby submit my report as Building Inspector for the calendar year 1994. The Building Department is charged with enforcement of the Massachusetts State Building Code, Architectural Access Board Requirements, Town of Billerica Zoning By Laws, including the Sign By Law, as well as State Electrical, Plumbing and Gas Codes. The Building permit activity (including electrical, plumbing and gas permits), has increased significantly since last year. The total permit fees collected by this department has increased 33% over last year. The total fees collected by this department for 1994 were $523,137.-, as compared to $354,683.- for 1993.

At the May 1990 Town Meeting, the Town of Billerica adopted Massachusetts General Law, Chapter 40 Section 21D entitled "Non-Criminal Disposition", empowering the Building Inspector with the authority to issue set fines on any person or property violating the Town of Billerica Zoning By Laws. Additional staff has been added to the Building Department in order to achieve this.

| | | |
|---|---|---|
| Zoning violation inspections | 680 | (including follow-up inspections) |
| Zoning violations | 357 | |
| Warning tickets | 229 | |
| $50.- tickets | 17 | $850.00 |
| $100.- tickets | 16 | $1,600.00 |
| $200.- tickets | 16 | $3,200.00 |
| total tickets | 278 | $5,650.00 |
| Violation compliance | 208 | |
| Waiting court date | 16 | |
| License inspections | 200 | |
| Denials issued | 175 | |
| Letters of Intent | 100 | |
| Stop Work Orders | 51 | |
| Appointments in office (Pre-development zoning) | 241 | |

## PERMIT ISSUANCE INFORMATION

| | | |
|---|---|---|
| Single family dwellings | 175 | |
| Additions and Alterations | 256 | |
| Roofing and siding | 126 | |
| Structures (pools, sheds, etc.) | 66 | |
| Commercial and Industrial | 6 | (est. cost 2,802,273.00) |
| Add. & Alt. to Comm. & Indus. | 121 | (est. cost 14,771,868.00) |
| Demolitions | 31 | |
| Wood stoves | 37 | |
| Trailers | 12 | |
| Re-occupancy permits | 7 | |
| | 837 | total building permits issued |
| Occupancy permits | 289 | |
| Sign permits | 59 | |
| Grandfather lots | 64 | |
| Certificates of Inspection | 122 | |

| | | |
|---|---|---|
| Total estimated cost of Building Permits issued: | | $37,926,825.00 |
| Total Building Permit fees collected and turned in: | | 383,135.00 |
| Plumbing Permits issued | 681 | |
| Gas Permits Issued | 731 | |
| | 1,432 | |
| Total Plumbing & Gas Fees collected and turned in: | | 30,609.00 |
| Total Electrical Permits issued: | 1,006 | |
| Total Electrical Permit fees collected and turned in: | | 109,393.00 |
| Total fees collected and turned in for Department | | $523,137.00 |

In an effort to provide better customer service, the Building Department staff has increased and is currently working on literature to better explain such items as the necessity of Building Codes and Zoning By Laws.

I would like to thank Angela Capen, Head Clerk, Kathleen Garvin, Senior Clerk, David Lenzie (11/1/94), Chris Clemente (3/27/95), Local Inspectors, Anthony Iovanna, Inspector of Wires, and William Callahan, Plumbing and Gas Inspector, (11/1/94), who started as of the retirement of Louis C. Stifano, our respected Plumbing and Gas Inspector since December 20, 1982.

Respectfully submitted,

Ruthanne A. Bossi
Inspector of Buildings

# ELECTRICAL DEPARTMENT

To the Honorable Board of Selectmen:

I hereby submit my report of the calendar year of 1994.

| | |
|---|---|
| Total Electrical Permits issued | 917 |
| Total Telephone and data issued | 18 |
| Total Fire Alarm Permits issued | 35 |
| Total Burglar Alarm Permits issued | 20 |
| Total Gas and Oil Electrical Permits issued | 16 |
| Total Permits issued | 1,006 |
| Total Fees Collected for 1994 | 109,393 |

Respectfully submitted,

Anthony R. Iovanna
Inspector of Wires

# BOARD OF ASSESSORS

The Board of Assessors update its property values for Fiscal Year 1995 with residential and commercial/industrial values remaining relatively stable inmost areas. Adjustments were made to certain residential and commercial/industrial areas of Town based on sales analysis and income and expense analysis. The Classification Hearing to set the Fiscal Year 1995 tax rate was held March 6, 1995 and the 4th Quarter were mailed on March 31, 1995.

The total assessed value of the town of Billerica for Fiscal Year 1995 is $2,017,947,574. The total amount o be raised locally by the community is $40,320,237.06. The Fiscal Year 1995 tax rates are $15.13 residential and $34.96 commercial/industrial/personal property.

**CLASSIFIED TAX LEVIES AND RATE**

| Class | Levy % | Levy by Class | Valuation | Tax Rate |
|---|---|---|---|---|
| Residential | 57.1915 | 23,062,919.28 | 1,524,317,203 | 15.13 |
| Commercial | 9.8548 | 3,972,765.64 | 113,637,461 | 34.96 |
| Industrial | 27.7461 | 11,185,235.60 | 319,943,810 | 34.96 |
| Personal | 5.2076 | 2,099,316.54 | 60,049,100 | 34.96 |

The Board of Assessors wishes to thank its appraisal and clerical staff for their efforts throughout the fiscal year. We also wish to thank the public for their cooperation. Finally, we wish former Senior Clerk Dawn Gullage all the best in her future endeavors and we welcome the addition of Senior Clerk Terry Chronister to our staff.

Respectfully submitted,

TOWN OF BILLERICA BOARD OF ASSESSORS
Richard J. Scanlon, Chairman
Carol A. Gibson, Secretary
Bruce E. Richardson, Associate

## CABLE ADVISORY COMMITTEE

The 1994 version of the Cable Advisory Committee was another one of transition by the action of the Board of Selectmen. A December 1993 vote of the board expanded the committee to include two additional members for the upcoming cable contract negotiations with Continental Cablevision plus placed Selectmen Brion Cangiamila as the board's permanent representative to the committee.

Over the past several months, the existing five members of the committee, Chairman Kevin Conway, Tony Iovanna, Ed Macdonald, Bill Walsh and Joy White, were joined by newcomer John Renoni and former committee member Chris DiSimone, who stepped down from his post but requested to occupy one of the additional committee positions.

Regarding committee issues, the members completed a survey of over 400 of the town's cable subscribers, in conjunction with BATV, for the purpose of gaining data to be used in contract renegotiations.

Furthermore, the Board of Selectmen granted the committee the power to hire expert Cable Attorney Peter Epstein to represent the town in the upcoming renegotiations. The committee is pleased to report that Attorney Epstein accepted its proposal.

Committee tasks for the upcoming year will include the initiation of the contract renegotiation process with Continental Cablevision as well as the holding of public hearings and distribution and compilation of another survey for negotiation purposes.

Respectfully submitted,

Kevin Conway
Committee Chair

## CEMETERY DEPARTMENT

In 1994, there were 161 burials in the Town Cemeteries. During the past fiscal year, $104,525.00 was turned over to the Town Treasurer. These receipts represent the amount of money collected by the Cemetery from the sale of lots, perpetual care, opening charges, and marker installations.

We wish to thank our employees for their continued devotion to their work. Thanks is also extended to the various town departments who have helped us throughout the year.

Respectfully submitted,

Charles O. Faria,
Superintendent of Cemeteries

## CENTRAL MASSACHUSETTS MOSQUITO CONTROL PROJECT

The Central Massachusetts Mosquito Control Project (CMMCP) now provides its services to twenty seven cities and towns throughout Middlesex and Worcester Counties. The project is pleased to announce that the towns of Stow and Blackstone became members of the CMMCP as of July 1, 1994. Several other towns will be considering joining the project at their spring town meetings. This growth helps us achieve regional mosquito control.

The project is headquartered in a modern facility located at 111 Otis Street, Northboro, MA. Tours of the headquarters or visits to field work sites can be arranged by calling the office in advance.

The project utilizes an Integrated Pest Management approach to mosquito control. This type of a program blends several methods and techniques with expertise, experience, and scientific research to provide the member communities with modern environmentally sound, cost effective mosquito control.

Our public education efforts again this year were highlighted by the Mosquito Awareness Program offered to all elementary schools within the project. Project staff meet with students and teachers to discuss mosquito biology, mosquito habitat, and what they and their families can do to prevent mosquitoes from breeding around their homes.

The program includes a slide talk show, handouts and coloring books, samples of live mosquito larvae, and the opportunity for students and teachers to ask questions.

The project's Water Management Programs continue to show positive results. By cleaning clogged and overgrown waterways, mosquito breeding is reduced, wetlands are restored, and water quality is improved.This form of mosquito control although labor intensive yields great dividends and helps to reduce the dependence on pesticides.

Areas where mosquito larvae are found are treated with BTI mosquito larvicide to prevent their emergence.We encourage the public to notify us as to any areas they suspect could breed mosquitoes. Field crews will investigate all such sites and treat as needed.

The project strives to handle all mosquito problems with water management or larviciding but recognizes that there are times when adult mosquito spraying is the only viable solution. In such cases residential and recreational areas are treated with either handheld or pick-up truck mounted sprayers.

The project's surveillance program monitors adult mosquito and larval population density and is the backbone for prescribing various control techniques.

The project's video "Working for You" is available to anyone interested in learning more about mosquito control and the services provided by the Central Massachusetts Mosquito Control Project.

# TOWN CLERK

To the Honorable Board of Selectmen and the Town Administrator

The following statistical and financial reports are for the period of January 1, 1994 through December 31, 1994:

**VITAL STATISTICS RECORDED IN 1994:**

| | |
|---|---|
| Births | 568 |
| Marriages | 252 |
| Deaths | 225 |

**FEES AND MONIES COLLECTED:**

| | |
|---|---|
| U.C.C. - Filings, Discharges & Searches | $8,813.00 |
| Certified Copies | 9,884.00 |
| Marriage Licenses | 3,780.00 |
| Business Certificates | 3,770.00 |
| Photo Copies | 663.80 |
| Pole/Conduit Locations | 310.00 |
| Zoning/General By-Law Books | 1,680.00 |
| Voter I.D. Cards | 420.00 |
| Gasoline Storage Permits | 860.00 |
| Miscellaneous | 676.81 |
| Sunday Licenses | 4,573.00 |
| Liquor Licenses | *250.00 |
| Common Victualer Licenses | *25.00 |
| General Licenses | 310.00 |
| Street Listing Books | 1,333.00 |
| Dog Licenses | 16,788.00 |
| Additional Dog Monies | 2,374.00 |
| Dog License Late Fees | 2,110.00 |
| Fish & Wildlife Licenses | 8,292.45 |
| Total | $66,913.06 |

* Fees for Annual Renewals of these licenses are paid directly into the treasury.

Three elections were held during calendar year 1994: the Annual Town Election on April 9, 1994; the State Primary on September 20 and the State Election on November 8, 1994. Following the September Primary, a district-wide recount was held for the Register of Deeds race in the Northern Middlesex District on the Democratic ballot. My thanks to all the Precinct Officers, Members of the Police Department, the Parks and Trees Department, the School Custodians and the Clerks in both the Town Clerk's Office and the Board of Registrars' Office. The cooperation and dedication of all these many people ensured that the election process ran efficiently and smoothly.

We were saddened by the deaths of Mary Morris, Mary Khirella, Rita Granfield, Humphrey Greer and Mildred Meagher who had faithfully served the Town for many years as Election Officers.

Billerica has a large dog population. A total of 2,402 dog licenses were sold for the year 1994. All dogs three months of age and older are required by law to be licensed as of January 1st each year. Anyone who has not licensed their dog by March 10th is subject to a $10.00 late fee. Even though notices go out with the Census, there are still a large number of residents who chose to ignore the law.

One rabies clinic was held during 1994. Dr. McGrath, DVM of the McGrath Animal Hospital held a clinic in June at the Central Fire Station on Good Street. With the increased awareness of rabies in the state and several incidents here in Billerica, more emphasis is being put on en-

forcing the law that requires that all dogs and cats be vaccinated against rabies.

During 1994, special town meetings were held on May 5th and October 18th in addition to the Annual Spring Town Meeting in May and the Fall Town Meeting in October. Seventeen sessions of Town Meetings were held in 1994.

Your Town Clerk attended three conferences sponsored by the Massachusetts Town and City Clerks Association in 1994 as well as three meetings of the Middlesex City and Town Clerks Association at no cost to the Town. The subject matter of these workshop sessions dealt with the many changes in the General Laws. Changes to the General Laws brought about by the passage of the "Motor Voter Bill" are having great impact on the Cities and Towns. This new legislation allows Massachusetts residents to register to vote by mail as well as at the Registry of Motor Vehicles and many other public assistance agencies throughout the state. This new legislation also provided for the establishment of a Central Voter Registry headquartered in the Secretary of State's Office in Boston. All City and Town Clerk's offices will be tied into this central computer network. This is a very exciting time in the history of Massachusetts. Implementation of this new system and the associated changes will take much patience and understanding to make it run smoothly. It should also be noted that Massachusetts is leader in the planning and implementation of a Central Voter Registry!

In 1994, your Town Clerk was one of the first dozen of active City and Town Clerks in the State to take and pass the exam for licensure as a Massachusetts Municipal Clerk and to receive her certification as a Certified Massachusetts Municipal Clerk.

My sincere thanks to all Town Officials, Department Heads, Boards, Commissions, Committees and BATI for the cooperation and help rendered this year. It has been a pleasure to work with these dedicated professionals.

Once again, my deepest thanks to my dedicated office staff Joan McDonald and Margaret Ryan for their support and loyalty. Their efficiency and commitment to the residents of Billerica is appreciated.

Respectfully submitted,

Shirley E. Schult, CMC, CMMC
Town Clerk

## CONSERVATION COMMISSION

The Conservation Commission consists of seven members appointed by the Board of Selectmen for terms of 3 years each. They maintain an office in the Town Hall and have a staff of two people - Environmental Investigator Martin W. Houlne' and Secretary Patricia A. Simpson.

The Commission and its staff had a very busy year in 1994 administering and enforcing the State Wetlands Protection Act (Mass. General laws, Chapter 131, Section 40) at the local level.

During the year, 33 filings were received requesting permits to perform work in or near wetlands, 34 initial public Wetlands Hearings were held along with 28 Wetlands Hearing Continuances and 2 Wetlands Modification Hearings; 34 new Orders of Conditions were issued along with 22 Determinations of Applicability, 19 Certificates of Compliance, 1 Extension Permit, 3 Certificate of Compliance Denials, 16 Status letters and 5 Enforcement Orders. There were no Modified Order of Conditions or Denial Order of Condition issued this year, however.

For a full year, there were 19 Regular Meetings, 1 Special Meeting and no Emergency Meetings of the Conservation Commission held in the Town Hall. Many Commission members also spent a great deal of their free time participating in numerous other meetings held in the Town Hall as appointed or volunteer members of various Town subcommittees.

Once again in 1994, some unforeseen changes in membership occurred, due to the resignation of two members of the Commission.

On April 13, 1994, Carol A. Woods resigned from the Commission due to family commitments. Because of the vacancy, the Commission requested the Selectmen to reappoint a new member as soon as possible.

Early in May, Associate member Christine Chisholm was appointed by the Selectmen to fill Carol's unexpired term, which runs through June of 1996.

At the beginning of June, the Conservation Commission was informed that longtime member Walter Arakelian was resigning. Walter served with distinction on the Commission for 20 year and his experience and knowledge of the Town will be sorely missed.

During the first meeting of the Board of Selectmen in July, JoAnne Giovino was reappointed to the Commission for another 3 years and John K. Saulnier was appointed to fill Walter's unexpired term, which ends on June 30, 1995. Approximately two weeks later, at their second meeting on the month, the Selectmen reappointed Crystal Card and Robert Donati to full 3 year terms.

In the Spring of 1994, the Conservation Commission once again participated in the planning and carrying out of Earth Day festivities at Viet Nam Veterans Park on Treble Cove Road. Because of the support of many individuals and agencies such as the Conservation Commission, the day was again a complete success.

For the eighth straight year, the Nicola Micozzi Beach, located on Conservation land at Nutting Lake, was once again operated during the summer season by the Town Recreation Department. The Conservation Commission would like to thank Joseph Higgins, Director of the Recreation Department, as well as his qualified staff, for the great job that they did in successfully overseeing the day to day operations at the Beach. With all those involved carrying out their duties in a professional manner, everyone who visited the Beach was provided with a safe and enjoyable experience. We look forward to many more pleasant summer seasons in the future.

On September 28, 1994, the Commission held their annual reorganization of Officers. Following brief deliberations, Diane Depaso was appointed Chairman, Norman Beloin, Jr. was appointed Vice Chairman, Crystal Card was appointed Secretary and JoAnne Giovino was appointed Treasurer.

The Conservation Commission holds regular meetings on the second and fourth Wednesdays of each month in the Town Hall starting at 8:00 p.m. and all are welcomed to attend.

We wish to thank all who have supported the Commission during the past year.

Respectfully submitted,

Diane DePaso - Chairman
Norman Beloin, Jr. - Vice Chairman
Crystal Card - Secretary
JoAnne Giovino - Treasurer
Robert Donati - Member
Christine Chisholm - Member
John Saulnier - Member
Martin W. Houlne' - Director

## ELDER SERVICES OF THE MERRIMACK VALLEY, INC.

Enclosed please find the Fiscal Year 1994 Annual Report of services provided in your community either directly or indirectly through the efforts of Elder Services of the Merrimack Valley, Inc. This Report encompasses the period July 1, 1993 through June 30, 1994 and describes the programs and services available to and utilized by residents of your community.

Because our Management Information System is not yet fully programmed, some of the enclosed totals are estimates. Following is an explanation of how we arrived at these statistics.

1. Home Care Program - The number of unduplicated clients was arrived at by multiplying our FY1994 overall unduplicated clients by the ratio of clients who reside in your community to total clients as of June 30, 1994. The costs of purchased services were allocated in the same manner. The cost of Case Management and Admin. are not included in these figures.

2. Title V Senior Aides Program - The number of aides is the sum of all aides who were assigned to your community during any part of FY1994. Salary costs represent the actual wages paid to those aides.

3. Title III Program - The number of unduplicated clients refers to the number of individuals served at least one during the period. The units of service are cumulative each month regardless of the type of service. The costs of services were apportioned based on units of service.

Because some of the above are estimates, you may have some questions; please feel free to call me for a further explanation. As we improve our automated data reporting systems, in the future, these reports will become more timely and more accurate. We hope that this information is useful to your community, and as always, we appreciate the opportunity to work with you in serving the frail elderly of the Merrimack Valley.

Sincerely,

Rosanne J. DiStefano
Executive Director

# ELDER SERVICES OF THE MERRIMACK VALLEY, INC
# ANNUAL REPORT OF SERVICES PROVIDED

## TOWN OF BILLERICA
## JULY 1, 1993 - JUNE 30, 1994

I. HOME CARE PROGRAM - (Homemaker, Personal Care, Chore, Transportation, Meals-on-Wheels, Social Day Care, Adult Day Health, Companionship, Health Services, Assisted Living, Life Line)

| | | |
|---|---|---|
| A. | Number of Unduplicated Clients | 97 |
| B. | Proportionate Cost of Services | $201,459 |

II. TITLE V SENIOR AIDES PROGRAM - Program offers only to those Senior Aides employed in your community performing outreach duties and other related social services.

| | | |
|---|---|---|
| A. | Number of Aides in this Area | 1 |
| B. | Salary Cost of Aides | $581 |

III. TITLE III PROGRAM - Those programs are made available to older individuals through grants awarded by E.S.M.V., Inc. to various agencies.

| | | |
|---|---|---|
| A. | Number of Unduplicated Clients | 255 |
| B. | Units of Service Provided | 18,576 |
| C. | Proportionate Cost of Services | $25,805 |
| D. | Number of Programs Available in this Area | 6 |

| PROGRAM | UNDUPLICATED NO. CLIENTS | UNITS | COST |
|---|---|---|---|
| Merrimack Valley Nutrition Project - Nutrition Program | 123 | 17,334 | $15,179 |
| Merrimack Valley Legal Services, Inc - Elder Legal Services | 28 | 28 | $3,715 |
| V.N.A. of Greater Lowell, Inc - Elderly Health Clinic Programs for Gr Low | 83 | 1,012 | $6,570 |
| Family Service of Greater Lowell - Supportive Homemaker Program | 2 | 49 | $131 |
| New England Home For The Deaf - Education & Community Service Program | 4 | 18 | $33 |
| L.I.F.E., Inc. - Merrimack Valley L.I.F.E.Chapter | 15 | 135 | $176 |

# FIRE DEPARTMENT

To the Honorable Board of Selectmen:

I hereby submit the annual report of the Billerica Fire Department for the year 1994.

The department responded to 3,658 fire incidents in 1994. The fire incidents for 1994 are broken down as follows:

| | |
|---|---|
| Brush/grass rubbish | 173 |
| Dumpsters | 7 |
| Building fires | 87 |
| Vehicle fires | 82 |
| Accidental alarms | 52 |
| False alarm/street box | 16 |
| False alarm/detectors | 299 |
| Investigations | 357 |
| Mutual aid given | 44 |
| Mutual aid received | 3 |
| Rescues | 4 |
| Medical emergency calls | 897 |
| Hazardous materials | 41 |
| Bomb scares | 2 |
| Vehicle lock outs | 442 |
| House lock outs | 28 |
| Illegal burning | 129 |
| Plug in/out boxes | 478 |
| Vehicle accidents | 197 |
| Miscellaneous calls | 320 |
| Total | 3,658 |

The following is the report of the major activities of the Fire Prevention bureau between January 1, 1994 and December 31, 1994:

I. Public Fire Education
   A. Fire drills held in eleven public schools, elderly housing complexes and House of Correction facility.
   B. Public fire safety activities - 41

II. Fire Investigations
   A. Fire cause and determination - 35 incidents
   B. Vehicle fires investigated - 24
   C. D.E.P. and Hazmat investigations - 8
   D. Blasting incidents investigated - 3

III. Code Enforcement
   A. General fire inspections - 413
   B. Complaints investigated - 32
   C. Nursing home inspections - 12
   D. Places of assembly inspected - 23
   E. Gas station inspections - 12
   F. Underground tank inspections - 21
   G. Oil burner inspections - 109
   H. Woodstove/chimney inspections - 47

IV. Plans Review
   A. Sprinkler plans approved/tested - 166
   B. Fire alarm systems approved/tested - 243
   C. Planning Board plans reviewed - 20
   D. Building Department plans reviewed (commercial) - 154
   E. Building Department plans reviewed (residential) - 318

V. Miscellaneous
   A. New municipal fire alarm boxes approved - 7
   B. Knox box security systems approved - 19

VI. Permits Issued - 1994
   A. Open burning permits - 2,903
   B. Smoke detector certificates issued - 604
   C. Occupancy permits sign-off - 322
   D. Selectmen's license renewal certificates - 30
   E. Applications for flammable storage license approved - 9
   F. Smokeless and blackpowder - 15
   G. Flammable/combustibles - 76
   H. L.P. gas storage - 75
   I. Blasting permits - 34
   J. Tank truck inspections - 110
   K. Underground tank removal/installation - 39
   L. Tank tightness/Stage II vapor recovery - 18
   M. Sprinkler permits - 66
   N. Fire alarm (commercial) - 50
      Fire alarm (residential) - 288
   O. Fixed suppression systems - 9
   P. Flea market - 1
   Q. Oil burners - 109
   R. Cutting/welding - 21

Permit fees collected - 1994: $13,130.00

During 1994, the Massachusetts Firefighting Academy presented classes to Billerica firefighters on Hazardous Materials Response, Search and Rescue, Vehicle Extrication and Handling Elevator Emergencies.

Refresher courses were given for First Responder, CPR, Ventilation and Water Supplies.

All department pumps, hoses, scott air paks and spare tanks were given annual service tests.

The Fire Department would like to thank all other Town departments and Town officials for their help and cooperation throughout the year.

Respectfully submitted,

Anthony E. Capaldo
Fire Chief

# BOARD OF HEALTH

TO: The Honorable Board of Selectmen

The Board of Health presents this as its annual report for 1994. The Board currently consists of Arnold Ventresca, Chairman, Wallace Mallett, Vice Chairman, Marie O'Rourke, Secretary, Dr. Leonard Bram, M.D. Bernard Hoar, and Nancy Higgins, Recording Clerk.

The office the Board of Health is comprised of John Morris, Director and Deborah McCluskey, Principal Clerk (Administrative Support).

The Division of Food Service and Sanitation is staffed by Joseph Walsh, Deputy Director and Joseph Reale, Sanitarian. Both these individuals are part time employees for a total of twenty-six (26) hours per week. During 1994 the Division of Food Service Sanitation was responsible for the inspections, plan reviews, and necessary enforcement actions for 200+ permits issued by the Health Department. In addition to food service establishment inspections, the division also conducts weekly inspections of public/semi public swimming pools during the beach peak months of the year. There has been no increase in this staff since 1971, which creates the potential for serious public health problems. Ideally, the Federal Government Guidelines recommend that the Health Department should be staffed with one (1) full time employee per 150 establishments, or the equivalent of a full time employee. The division is proud of its accomplishments given its very limited resources. We are hopeful that in the future the food service sanitation division will achieve full staffing levels to provide maximum public health protection of food service industries servicing the residents of Billerica.

The Division of Environmental/Community Health Sanitation is staffed by Mr. William McDowell, Health Agent. Mr. McDowell is a part time employee (3 days per week). This division processed 276 complaints during the year (1994). Although the division is staffed with only part time help, the accomplishments have been exceptional. The Health Department has been able to implement a systematic approach for the processing, investigation, and resolution of complaints, which range from failing septic systems and illegal dumping to odor problems and hazardous waste investigations. Currently, as this report is being written the division is experiencing a backlog which has caused a delay in investigations and enforcement action. Mr McDowell is also responsible for some emergency calls as necessary which displaces cases that may have been resolved in a more timely fashion. The Board of Health has made a budget recommendation to increase the staff to full time to attempt to meet the minimum needs of the Town.

The Division of Community Nursing is currently staffed by Cheryl Marland, R.N. Cheryl is a full time employee. The Community Nursing Division is slowly restoring its staff to prior staffing levels. It is a goal of the Board of Health to restore staffing of this Division to 1971 levels. This would consist of the addition of another full time nurse or a full time Health Educator which could be utilized to expand services.

The current nurse has done a tremendous job to provide many clinics and community wellness programs which is a major function of a local Health Department.

During 1994, the Public Health Nurse attended to 400 residents during morning clinics, provided 1,093 elder citizens with health screenings, 124 mantoux tests, implemented a Hepatitis B program to 153 citizens, accommodated 1,386 Billerica residents during our Annual Flu Clinic and 138 residents during our Pneumonia Clinic. These are just a representative sample of the health programs provided. In addition to these duties the Community Nursing Division handled all communicable disease reports and follow up action.

The Health Department receives numerous inquiries regarding services that residents wish could be provided. However, due to staffing levels, we can only provide so many services. The Board of Health will continue to attempt restoration efforts to achieve optimal staffing levels.

During the year 1994, the Director of Public Health reviewed and approved 667 Building Permits, issued 60 new septic system permits, and 67 septic system repair permits. Associated with these permits was all administrative functions and field inspections necessary to insure compliance. In addition the Director issued 4 Well Permits, 16 Septage Haulers Permits, 13 Disposal Works Installers Permits, 4 Funeral Directors Permits, 7 Suntanning Salon Permits, and 2 Health Club Permits. Also, the department issued 875 White Good Disposal Permits. All administrative processes and inspections were performed accordingly.

The Division of Animal Control is staffed by Mr. Harry Peary who performs all barn and horse inspections prior to issuance of permits from the Director of Public Health. During 1994, 27 Horse and Barn Permits were issued.

In addition to day to day operations, the Director of Public Health reviews all Subdivision Plans, site Plans, Variance Requests, Waiver Requests, and all agenda items in preparation for the Board of Health. He prepares recommendations for all matters before the Board and is re-

sponsible for all follow up actions on behalf of the Board of Health.

Finally, the Health Department is proud of its Annual Health and Recreation Fair which was held on Saturday, May 14, 1994. The event has become a tremendous success in providing the town residents with valuable services, information, and opportunities to achieve optimum wellness, all at no cost. The Board of Health has established an excellent working relationship with the Recreation Department which has resulted in an immeasurable benefit to the residents of Billerica. The Board would like to formally extend a heartfelt thank you to Mr. Joe Higgins and his staff at the Recreation Department.

The Health Department is looking forward to 1995 as a very productive year and will always strive to provide residents with the service they rightfully deserve.

Respectfully submitted,

Arnold Ventresca, Chairman
Wallace Mallett, Vice Chairman
Marie O'Rourke, Secretary
Dr. Leonard Bram, M.D.
Bernard Hoar

## HISTORIC DISTRICTS COMMISSION

The Commission consists of seven regular members, five alternates and Town Planner, Peter Kennedy as a non-voting ex-officio.

| | | |
|---|---|---|
| Regular Members: | James Heiberg | |
| | Carl Herrmann | |
| | David Kinsella | |
| | Susan Miller | |
| | Terry O'Neil | |
| | Debra Wolf | |
| | Richard Young | |
| Alternate Members: | Marie Dube | |
| | David Fitch | |
| | Debra Fox | |
| | Sandra Porter-Libby | |
| | Scott O'Neil | |
| Officers: | Richard Young | Chairman |
| | Terry O'Neil | Vice Chairman & Co-Secretary |
| | Debra Wolf | Co-Secretary |

The first scheduled meeting of the Billerica Historic Districts Commission was held on January 20, 1994.

Meeting were held the first and third Thursday of each month, beginning at 7:30 P.M. and adjourning as necessary. Special meetings were also held on alternate dates as needed. All meetings held were posted as required with the Town Clerk.

During the Spring and Fall Town Meetings, the Commission changed their regularly scheduled meetings to the first and third Wednesday of each month until the Town Meetings were adjourned.

The Commission reviewed thirty-one applications for Certificates in 1994.

Seven Applications were voted on as Major Developments and Public Hearings were held.

Seven violation letters were sent to homeowners, for work in progress or completed on their properties, without prior-submission of an Application to the Commission.

A violation was recorded at the Registry of Deeds, referencing the Deed number and name, for one property in the Center District, for failing to return before the Commission and rectify the violation.

The proposed establishment of the Richardson's Mill East Billerica Historic District, which includes twelve properties and nine buildings was approved at the Spring Town Meeting.

Historically significant structures were reviewed by the Commission in 1994 which included the proposed reconstruction and roof repair of the Old Town Hall Cupola and the repair or reconstruction of the Town Common Gazebo. The proposed plans for the Cupola and roof were approved by the Commission after many meetings and careful review. A final decision and final proposed plans have not been made on the Gazebo at this time.

Three new subdivisions were also proposed last year within the Center Historic District. Plans were reviewed for compliance, conditions established and all were approved.

Circa Signs, for specific properties within the Historic Districts on the National Register, were proposed by the

Billerica Historical Commission. The signs were reviewed, suggestions made and were approved.

Detailed Minutes of the Billerica Historic Districts Commission's meetings have been filed with the Board of Selectmen and are available to view by the public at the Billerica Public Library.

We wish to thank all of the residents and town's people who have supported the Commission during the past year, and we look forward to working together in 1995 to preserve and protect the Historic character of Billerica.

Respectfully submitted,

Debra Wolf
Co-Secretary

## HISTORICAL COMMISSION

The Billerica Historical Commission meets regularly on the first Wednesday of each month and at such times as the need arises. In the Commission's role as an official agent of municipal government responsible for community-wide historic planning, many of its activities are interrelated with the various town boards, one of our most important functions being to preserve and categorize historically significant properties. During 1994 the Milldam and the Fordway Bridge at North Billerica were added to the Local Inventory as district entities, so that their part in the development of the town could be documented. As such they acquire protection under the town by-laws.

On March 30th the Commission was saddened to hear of the catastrophic fire at the Manning Manse, our oldest documented structure, built is 1696. Fortunately the Building Inspector's determination that it was less than 65% destroyed resulted in the Manning Family Association's decision to restore the building as faithfully as possible to its original construction. The Commission was happy to help the Association to obtain information about assistance which might be available due to the Manse's status on the National Register of Historic Places.

In May a public hearing was held on an application by Kasher Corporation of Billerica to demolish the Gleason Manor (1747) which is our Local Inventory. There being considerable interest in its preservation the Commission voted to take advantage of the town's demolition delay by-law which allows it and the developer a six-month period to attempt to locate a party interested in restoring or moving the building. Subsequent to the expiration of the waiting period in November, there has been a flurry of interest in removing the Manor to an alternate site. At present, however, no definitive plans have been finalized.

A second public hearing in July on the Captain Charles Ranlett house resulted in the decision that although an historically significant property, the condition of the structure was such that preservation would not be feasible. As a result the building has been razed in order to make way for an eleven house sub-division by Sandlewood Associates of Tewksbury.

The Commission maintains delegates on three town-wide Committees. The member of the Committee to Restore the Bandstand has taken an active part in order to ensure that its National Register status is preserved. Representatives on the Old Town Hall Cupola Replacement Committee and the Museum Committee have been equally energetic. It is the Commission's hope that the cupola will be replaced in time for the one hundredth anniversary of the dedication of the Old Town Hall on November 7, 1995.

To increase our visibility on the state level, we have complied with the request of the Massachusetts Historical Commission, by joining several other communities in providing MHC with a quarterly newsletter,"Circa," to which each member contributes articles pertinent to the Commission's interests and activities.

In an effort to increase public interest, the Commission has continued to update its map of Billerica which denotes the colorful and descriptive names of various localities used in bygone days, in many instances providing valuable historical information. Copies of the map will eventually be displayed either at the Library or the Town Hall. After identifying twelve early houses on which to install signs designating an original owner and approximate date, the Commission has continued this effort, the first placard being in place on the Jonathan Dutton Homestead (1724). In addition several individuals from West Billerica were interviewed in an effort to gain community input concerning the history of that part of town. Plans to continue this process with other sections of Billerica are possible. As in past years the Commission sponsored a float in the Yankee Doodle Parade and as well, this year, several members attended the Middlesex Canal Association's celebration of the two hundredth anniversary of the beginning of the digging of the canal.

The commission has also provided information in answers to requests by individuals, publications, and agencies concerning the Hajjar School and Guiseppina Morlacchi Omohundro (Texas Jack Society). Additionally, correspondences with residents from nine different states have allowed the Commission an opportunity to help many individuals in tracing their roots.

Our chief goals for the coming year are to add to the Local Inventory and to continue the Sign Project in which we hope to designate by signs at least twelve more properties.

Respectfully submitted,

Margaret B. Ingraham, Co-chairman
Peter R. Woodbury, Co-chairman
Carol P. Bruyere, Secretary
Elizabeth M. Cleary
Linda French
Helen R. Knight
Virginia R. Maguire
Carl Herrmann, Associate Member
Alec Ingraham, Associate Member
Dr. Charles E. Stearns, Associate Member

## HOUSING AUTHORITY

Gentlemen:

At our Annual Meeting, held May 9, 1994 the following officers were elected:

Elizabeth F. McCarthy — Chairman
Walter Coakley — Vice Chairman
Dorothy Pearson — Treasurer
William Flaherty — Assistant Treasurer
John Daly, Jr. — Member

Mrs. Carol A. Ford was re-appointed Executive Director.

We welcomed a new member to our board, Mr. William Flaherty.

The Billerica Housing Authority has completed 26 years in the Management Phase of its housing, consisting of 259 units. Our 705 Family Housing and Section 8 rental programs are all under lease.

The John Nelson Parker House and McColough House have proven to be assets to the community.

The Billerica Housing Authority was fortunate to receive monies from EOCD for the installation of an elevator at the Talbot School Apartments.

At the request of the Board of Selectmen, Town Meeting, approved the transfer of a portion of the public parking lot, which abuts 16 River Street to the Billerica Housing Authority to be used exclusively for parking.

We would like to publicly thank the Board of Selectmen and Building Department and all Town Boards for their continued support.

Sincerely,

Elizabeth F. McCarthy
Chairman

## INDUSTRIAL DEVELOPMENT FINANCE AGENCY

This is a report of the Industrial Development Finance Agency reorganized in July, 1994. The Agency met and reviewed where we could best serve the community. We found that the present business financial climate had industry in better position to deal directly with banks rather than using state financing. Recent applications were for major and complex industrial projects. We have only dealt with amendments to existing bonds.

Until the need arises for state government financing, the agency will continue to be active and available for support and as a resource to industry, the community and the Town of Billerica.

Respectfully Submitted,

Bernard Hoar, Chair
Allen Arakelian
James Dangora, Jr.
Robert Lord
Donald MacDonald

## MAP COMMITTEE

To the Honorable Board of Selectmen and the Town Administrator

The map committee was established at the Annual Town Meeting of 1959. The purpose of this committee was for procurement of tax maps. This task has been complete. These maps are in the custody of and updated annually by the assessors office. Given that the map committee was created for one single purpose and that purpose is now complete there is no need to continue this committee.

Respectfully submitted,

Lawrence R. DeBenedictis, Secretary
Dianne Bonnell
John L. Noonan

## MAPPING COMMISSION

To the Honorable Board of Selectmen and the Town Administrator:

The Mapping Commission was created at the Annual Spring Town Meeting of 1994.

Selectmen appointed members in August. The Town Clerk called the first meeting to order on September 7, 1994 for the election of officers.

The Mapping Commission meets on the second and fourth Tuesdays of each month at 7:30 pm.

The six members were assigned tasks to identify the towns needs and necessary equipment and software that the Mapping Commission would need to provide mapping services.

Richard J. Scanlon, Principal Assessor was sent a letter introducing his office to the Mapping Commission. This letter outlined the Mapping Commissions needs for a viable data base to fulfill the town's mapping needs.

By the end of the year the Mapping Commission had compiled a list of Departments and other organizations to be surveyed. Letters will be sent out asking for their needs in the creation of new maps.

Respectfully submitted,

John L. Noonan, Chairman
Dianne Bonnell, Vice Chairman
Tom Ferraro, Secretary
Stephen Dresser
Leslie Hannon
Gerard Pednault

## MUSEUM COMMITTEE

The Billerica Museum Committee has met monthly. In warm weather the meetings have been held in the unheated upstairs of the museum (the Old Howe School), and in cold weather in the Town Hall. At this writing, we are looking forward to our occupancy of the first floor of the museum building and the conversion of the entire building into Billerica's first museum.

1994 was highlighted by our display on Yankee Doodle Weekend of about fifty turn of the century photographs of people and places in Billerica. With the assistance of Cabot Corporation, the photographs were reproduced from a collection of glass negatives donated by Charles Stearns. Also on display were a collection of old milk bottles from Billerica dairy farmers on loan from Thomas Paskiewicz. We have since obtained many more photographs and look forward to the display of our larger collection.

Money for building renovations remain a prime requirement. Donations are, of course, tax-deductible. Also, the Committee continues to receive, with gratitude, items of Billerica memorabilia.

Respectfully submitted:

Gordon C. Brainerd, Chairman

# NORTHERN MIDDLESEX COUNCIL OF GOVERNMENTS

To: The Citizens of the Town of Billerica

The Northern Middlesex Council of Governments is a multi-purpose planning district, a public body corporate, formed under State enabling legislation governed by a policy board of local elected officials. Each of the nine member municipalities including: Billerica, Chelmsford, Dracut, Dunstable, Lowell, Pepperell, Tewsbury, Tyngsborough and Westford, is represented by a member of the Board of Selectmen or City Council, a member of the Planning Board and an alternate member appointed by each Board of Selectmen and in the case of Lowell, by the City Manager.

The Council maintains a staff of professional planners and technicians to assist it in developing and implementing its policies. The Council meets monthly (usually the third Wednesday of each month) at 115 Thorndike Street, Lowell, and all meetings are open to the public.

The Council acts seriously and deliberately to "make careful studies of the resources, problems, possibilities and needs of its district" . . .and to". . . make recommendations for the physical, social, governmental or economic improvement of this district. . . "

Assessments upon the member communities are on an equal per capita basis and are used to provide the "local share" of various projects undertaken by the Council with Federal funds and local assistance.

These funds enable the Council to undertake far more staff work than would otherwise be possible at the present level of local assessment (about 25 cents per capita). The Council's FY '95 budget includes $67,870 of local assessments which is less than 20% of the total budget. Billerica's share of the local commitment is $9,678.32.

Each year the Council devotes a large portion of its efforts to transportation issues. In cooperation with the Federal Highway Administration and the Massachusetts Highway Department, the NMCOG continues to focus on transportation problems across the region. During the past year ithe NMCOG updated the Long Range Transportation Plan for the Region which examines the projected transportation needs for the next twenty years. The staff continues to monitor and track the progress of the ongoing environmental work associated with the Route 3 widening project.

The Council is presently preparing a feasibility study for a proposed Rail-to-Trails bikeway extending from North Billerica to Bedford, eventually linking with the Minuteman Bike Path in Bedford.

In the upcoming year, the Council will initiate a traffic study for Route 3A.The study will be undertaken to identify and address congestion and safety problems.

The Council continues to provide technical assistance to local communities. This past year the Council assisted the Town of Billerica in evaluating the potential traffic impacts of projects such as the expansion of Towne Plaza. In addition NMCOG continued its traffic counting program taking approximately 100 traffic counts annually. In 1994 many counts were taken in Billerica. This data is incorporated into a traffic count book and map series which is distributed to local officials each year.

The staff continues to work with the Town of Billerica and the Massachusetts Highway Department to advance several key projects of importance to the Community. These projects include replacement of several bridges and improvements to Concord Road.

The Council continues to provide assistance to the Lowell Regional Transit Authority in areas such as, obtaining Federal capital and operating funds, marketing to improve ridership and revenue, statistical monitoring and reporting, and direct assistance with projects such as the Gallagher Terminal Addition aimed at improving operating efficiency and financial viability. In September 1994, the LRTA received 13 new lift-equipped buses at a cost of nearly $3 million. These vehicles were obtained through a Section 3 capital grant written by the staff of the Council of Governments.

The Council, with the assistance of LoLaw Transit Management, Inc., monitors ridership trends for the Lowell Regional Transit Authority. The Billerica Road Runner continues to be a successful service with 13,000 riders in FY'94. Additionally, 13,397 persons took advantage of the fixed route bus service offered by the LRTA in FY'94, a 10.3% increase over FY'93.

The Council performs a statutory review role for those projects that come under the purview of the Massachusetts Environmental Policy Act, that is, those projects whose environmental impacts are deemed to be significant and/or require State or Federal permits or funding.

The Council continues to provide demographic information and technical assistance to its member communities who request such. Billerica residents should feel free to contact Council staff who will be glad to either answer their questions or to direct them to the proper source of information.

Respectfully submitted,

Arthur L. Doyle, Councillor, Representing the Billerica Board of Selectmen
Dianne Bonnell, Councillor, Representing the Billerica Planning Board.
Ann M. Mulcahy, Alternate, NMCOG Chairman

## PLANNING BOARD

To the Honorable Board of Selectmen and the Town Administrator:

The Planning Board had a busy and productive year in 1994. Beside reviewing and ruling on several Subdivision and Site Plan approval requests, the board managed to initiate a number of amendments to the Zoning By-Law.

In the spring Robert C. Norman and Dianne Bonnell were re-elected to the board. Ruthanne A. Bossi was voted Chairman, Daniel J. Hayes, Vice Chairman and Dianne Bonnell, Secretary.

In 1994 the board received two preliminary subdivision plans which were approved with comments. The board received six definitive subdivision plans. All of the definitive subdivision plans were approved with conditions representing 84 residential lots.

The Planning Board received eight requests under the Site Plan Special Permit provision of the Zoning By-law. All were approved with conditions. As a rule, any new construction or addition to any commercial or industrial building with more than 5,000 sq. ft. of gross floor are is required to obtain a site plan approval from the Planning Board.

The board received several requests for modification or waivers to previously approved definitive subdivisions and site plan special permits.

The board ruled on 24 Approval Not Required (ANR) plans in 1994. ANR plans represent a division of lands into lots each with sufficient frontage and adequate access on either 1) a public way, 2) an approved subdivision street or either 3) a road in existence prior to subdivision control which by law exempts them from the subdivision approval process.

The Board considered several requests for Bond Releases, Permission to Return to the Board of Appeal, Scenic Road Permits and Bond Acceptance. We held public hearings for twenty three proposals to amend the Zoning By-Law or to rezone land.

The board also proposed seven Zoning By-Law amendments for town meeting consideration. Of these six were voted into law. Three changed the regulations governing residential cluster subdivisions so as to help guarantee the quality of these developments. Another changed the regulations for Adult Entertainment District in order to clarify what uses are allowed by right. One improved the procedures relating to earth migration use. The last changed the regulation for in-law apartments so as to require a special permit assuring that they are appropriately developed.

The Planning Director provides technical assistance to the Planning Board in the review of subdivisions and site plan development applications. This role has involved working closely with developers, private citizens, abutters, engineers, lawyers and the Board to ensure that proposed development meets the requirements of the Rules and Regulations of the board.

Besides her day to day clerical duties, Ms. Barbara Norman, Planning Board secretary helps answer questions of residents regarding zoning, planning, regulations of the Planning Board and coordinates the board's activity with those of the many boards and committees with which they work.

We would like to express our appreciation to the Director of Planning Peter D. Kennedy and Secretary Barbara Norman and the many Departments with which we work.

The Board and staff are available to any individual who may need assistance with any matter concerning the Planning Board.

Respectfully submitted,

Ruthanne A. Bossi,Chairman
Daniel J. Hayes, Vice Chairman
Dianne Bonnell, Secretary
Marie P. Blanchette
Sal Dampolo
John L. Noonan
Robert C. Norman

# POLICE DEPARTMENT

I hereby submit my annual report of the Billerica Police Department for the year ending December 31, 1994. There were a total of 810 arrests made as a result of 1108 charges and a total of 17,098 calls for service, broken down as follows:

**ARRESTS 1994**

| Totals | Chg Cd | Statute | Description |
|---|---|---|---|
| 5 | 6170 | 265-15A | A&B by dangerous weapon |
| 10 | 6090 | 265-13D | A&B on a police officer |
| 1 | 9710 | 274-2 | Accessory before the fact |
| 5 | 4000 | Common Law | Affray |
| 1 | 9670 | 269-14A | Annoying phone calls, making |
| 1 | 623A | 265-18 | Armed Assault w/int murder |
| 1 | 6220 | 265-17 | Armed Robbery |
| 1 | 6210 | 265-17 | Armed Robbery while masked |
| 48 | 6050 | 265-13A | Assault & Battery |
| 16 | 6200 | 265-15B | Asslt by dang weap |
| 9 | 1190 | 90-23 | Attaching plates to a MV |
| 1 | 9690 | 274-6 | Attempt to commit a crime |
| 6 | 2100 | 266-18 | B&E Day w/int to com. fel |
| 3 | 2070 | 266-16A | B&E Day w/int to com. mis |
| 3 | 2050 | 266-16 | B&E Night w/int to com. fel |
| 1 | 2060 | 266-16A | B&E Night w/int to com. mis |
| 7 | 205A | 266-16A | B&E Night/Motor Veh |
| 2 | 2010 | 266-14 | Burg & Asslt in a Dwelling |
| 2 | 2000 | 266-14 | Burg, Arm & Asslt on an Occup |
| 1 | 7020 | 269-10(a) | Carry a firearm w/o lic. |
| 2 | 9620 | 269-10(b) | Carrying a dangerous weapon |
| 6 | 016 | 119-54 | Chins - Child in need service |
| 2 | 970 | Common Law | Conspiracy |
| 7 | 1080 | 90-7 | Defective Equipment |
| 27 | 4010 | 272-53 | Disorderly Person |
| 18 | 4020 | 272-53 | Disturbing the Peace |
| 3 | 2080 | 266-17 | Ent w/o Brk INT To Com Fel |
| 3 | 2110 | 266-18 | Ent w/o Brk NT Dwell Com Fel |
| 1 | 2130 | 266-20A | Ent w/o Brk Trk, Int. Com Fel |
| 4 | 1690 | 89-1 | Fail to keep Rt |
| 1 | 1560 | 90-14 | Fail to slow @ intersection |
| 6 | 1220 | 90-25 | Fail to stop for police MV |
| 3 | 1740 | 89-8 | Fail to Yld - Inters - MV Fr Rt |
| 5 | 903A | 276-20R | Fugitive from justice |
| 1 | 910A | 268-34 | Give false name to police of |
| 3 | 122A | 90-25 | Giving false name to police off |
| 1 | 103A | 90-14 | Illegal left turn |
| 1 | 8230 | 94C-34 | Illgl poss class B subseq of |
| 9 | 8220 | 94C-34 | Illgl poss Class B substance |
| 2 | 8270 | 94C-34 | Illgl poss class D subseq of |
| 15 | 8260 | 94C-34 | Illgl poss class D substance |
| 2 | 6060 | 265-13B | Ind A&B, Child under 14 |
| 1 | 109A | 90-20 | Insp stckr/own perm open w/o |
| 1 | 109B | 90-20 | Insp, fail by own MV inspctd |
| 2 | 6400 | 265-26 | Kidnapping |
| 7 | 3230 | 266-37 | Larc. by check (variable) |

| Totals | Chg Cd | Statute | Description |
|---|---|---|---|
| 7 | 3090 | 266-28 | Larc. of a MV or Trailer |
| 1 | 3240 | 266-37B | Larc. of Credit Card |
| 4 | 3110 | 266-30 | Larc. of prop., $250 or less |
| 10 | 3130 | 266-30 | Larc. of prop over $250 |
| 4 | 3140 | 266-30 | Larc. prop. over $250 (VAR) |
| 2 | 3120 | 266-30 | Larc. prop. $250 or less (VAR) |
| 1 | 3040 | 266-20 | Larc.,Bldg.,Shp.,Vessl,Rrcar |
| 1 | 3220 | 266-37 | Larceny by check |
| 3 | 3060 | 266-25 | Larceny from a person |
| 8 | 620 | 90-24 | Leav scene after prop damage |
| 1 | 9730 | 272-16 | Lewd, Open & Gross |
| 21 | 9440 | 138-34C | Liq, Minor Trnsprt/Carry |
| 1 | 5090 | 266-127 | Mal Destr prop $250 or less |
| 14 | 5080 | 266-127 | Mal Destr prop over $250 |
| 5 | 1270 | DPW4-1 | Marked lanes violation |
| 1 | 1630 | 90-24B | MV Doc Falsifying, Steal, Etc. |
| 1 | 9660 | 269-14A | Obscene phone calls, making |
| 48 | 1160 | 90-23 | Oper MV after lic. suspended |
| 3 | 1090 | 90-20 | Oper MV w/o Insp Stick |
| 6 | 600 | 90-24 | Oper MV Reckless to Endanger |
| 1 | 57C | 90-24L(1) | Oper MV Un-Infl Liq & Reckl |
| 1 | 410 | 90-24 | Oper MV Un-Infl Liq 2nd Off |
| 1 | 420 | 90-24 | Oper MV Un-Infl Liq 3rd or S |
| 1 | 42A | 92-24 | Oper MV Un-Infl Liq 4th or S |
| 48 | 400 | 90-24 | Oper MV Un-Infl of Liquor |
| 2 | 1600 | 90-16 | Oper MV w/Unnecessary Noise |
| 23 | 1120 | 90-10 | Oper MV w/o being licensed |
| 1 | 1120 | 90-11 | Oper MV w/o Lic. in Possess. |
| 2 | 163A | 90-7 | Oper MV w/o lights |
| 7 | 1180 | 90-23 | Oper MV-Aft Lic Revoked DWI |
| 17 | 1170 | 90-23 | Oper MV-After Lic Revoked |
| 14 | 1240 | 90-34J | Operating an uninsured MV |
| 14 | 1100 | 90-9 | Operating an unregistered MC |
| 11 | 3290 | 266-49 | Poss. Burg. tools |
| 4 | 8020 | 94C-32A | Poss Class B w/int to Distr |
| 2 | 8040 | 94C-32C | Poss Class D w/int to Distr |
| 1 | 801A | 268-28 | Poss Cont Sub W/I Del Prison |
| 2 | 8000 | 94C-27 | Poss Hypo Syringe, Needle |
| 179 | 010 | PC | Protective Custody |
| 4 | 901A | Town Bylaw | Public Drinking |
| 2 | 6320 | 265-22(b) | Rape |
| 1 | 635A | 265-23 | Rape & Abuse Child Under 16 |
| 1 | 6310 | 265-22(a) | Rape, Aggravated |
| 9 | 3310 | 266-60 | Rec'g Stolen Prop $250 More |
| 5 | 3300 | 266-60 | Rec'g Stolen Prop. $250 Less |
| 1 | 309A | 266-28 | Rec'g, Buying, Etc. Stolen MV |
| 2 | 1310 | DPW4-10 | Red Light Viol. State Hgwy |
| 1 | 1650 | 90-25 | Refuse to Prod. Lic or Regis |
| 15 | 3160 | 266-30A | Shplftg by Asport. of Merch. |
| 11 | 3170 | 266-30A | Shplftg by Concealg Merch. |
| 11 | 1400 | 90-17 | Speeding |
| 1 | 957B | 265-43 | Stalking, Viol Pro Ord |
| 2 | 1320 | DPW4-11 | Stop Sign Viol. State Hgwy |
| 11 | 6430 | 275-2 | Threatening to Commit a Crime |
| 7 | 2160 | 266-120 | Tresp. Land, Dwell, House, Etc. |

| Totals | Chg Cd | Statute | Description |
|---|---|---|---|
| 2 | 6270 | 265-19 | Unarmed Robbery |
| 5 | 640 | 90-24 | Unauthorized Use of MV |
| 2 | 8180 | 94C-33 | Utter a False Description |
| 2 | 3400 | 267-5 | Utter a Forged Instr (VAR) |
| 1 | 3390 | 267-5 | Utter a Forged Instr |
| 1 | 9031A | 10-30 | Utter State Lottery Ticket |
| 3 | 802A | 94C-32J | Viol. Con Sub Act w/in School |
| 12 | 955A | 20834C | Viol. Dom Protective Order |
| 17 | 9550 | 209A-7 | Viol. of Protective Order |
| 249 | 015 | Various | Warrant Arrest |
| 1108 | #Indiv Arrested: 810 | | |

| Sex | | Race | | Age | |
|---|---|---|---|---|---|
| male = | 709 | white = | 756 | adult = | 772 |
| female = | 101 | black = | 14 | juven = | 38 |
| ukn = | 0 | ind am = | 0 | ukn = | 0 |
| | | asian = | 12 | | |
| | | ukn = | 28 | | |

| A | B | C | Total | Ucr | Grp | Description |
|---|---|---|---|---|---|---|
| 10 | 95 | 154 | 259 | 552 | D | 209A Service |
| 17 | 18 | 90 | 125 | 700 | A | Alarms-Commercial |
| 593 | 597 | 634 | 1824 | 705 | A | Alarms-False/Unfounded |
| 1 | 2 | 4 | 7 | 703 | A9 | Alarms-Fire |
| 11 | 2 | 6 | 19 | 704 | A | Alarms-MV |
| 16 | 78 | 61 | 155 | 701 | A | Alarms-Residential |
| 29 | 34 | 48 | 111 | 702 | A | Alarms-School |
| 330 | 0 | 0 | 330 | 010 | | AM Nemlec Radio Check |
| 16 | 63 | 64 | 143 | 441 | | Animal Control-All Others |
| 22 | 67 | 78 | 167 | 440 | | Animal Control-Dog Complaint |
| 7 | 6 | 10 | 23 | 300 | | Arrest-adult |
| 13 | 27 | 41 | 81 | 306 | | Arrest-BPD Warrant by Other PD |
| 7 | 23 | 52 | 82 | 308 | | Arrest-BPD Warrant by this PD |
| 0 | 0 | 2 | 2 | 301 | | Arrest-Juvenile |
| 12 | 9 | 47 | 68 | 307 | | Arrest-Warrant from Other PD |
| 0 | 1 | 1 | 2 | 200 | 9 | Arson Offenses* |
| 5 | 25 | 42 | 72 | 13A | 9 | Assault-And Battery* |
| 1 | 4 | 6 | 11 | 13C | 9 | Assault-Intimidation* |
| 0 | 1 | 1 | 2 | 13P | 9 | Assault-Officer Assaulted* |
| 0 | 2 | 10 | 12 | 13B | 9 | Assault-Simple* |
| 2 | 4 | 8 | 14 | 23Z | | Attempt to Commit a Crime |
| 2 | 13 | 18 | 33 | 007 | | Bicycle (Stolen or Recovered) |
| 0 | 0 | 1 | 1 | 510 | | Bribery Offenses* |
| 37 | 68 | 36 | 141 | 225 | 9L | Burglary of MV or Trailor |
| 45 | 99 | 101 | 245 | 220 | 9L | Burglary/B&E* |
| 49 | 38 | 58 | 145 | 008 | | Check of Area or Building |
| 15 | 39 | 37 | 91 | 009 | | Check on Person Well-Being |
| 0 | 3 | 2 | 5 | 90A | | Checks-Bad* |
| 0 | 4 | 16 | 20 | 90X | 9 | Child Abuse/Neglect* |
| 0 | 3 | 1 | 4 | 250 | | Counterfeiting/Forgery* |
| 2 | 1 | 5 | 8 | 90C | 9 | Disorderly Conduct* |
| 93 | 28 | 262 | 383 | 90M | 9 | Disperse Persons |
| 34 | 3 | 65 | 102 | 143 | 9 | Disturbance-Bar/Lounge |
| 2 | 19 | 32 | 53 | 148 | 9 | Disturbance-Civil/Non-Family |

| A | B | C | Total | Ucr | Grp | Description |
|---|---|---|---|---|---|---|
| 82 | 99 | 248 | 429 | 147 | 9 | Disturbance-Domestic |
| 28 | 23 | 63 | 114 | 142 | 9 | Disturbance-Fight |
| 187 | 66 | 325 | 578 | 140 | 9 | Disturbance-General |
| 80 | 2 | 79 | 161 | 141 | 9 | Disturbance-House Party |
| 5 | 31 | 40 | 76 | 145 | 9 | Disturbance-Neighbors |
| 14 | 15 | 6 | 35 | 149 | 9 | Disturbance-Strike/Picketers |
| 0 | 50 | 61 | 111 | 90Y | 9D | Domestic-Abuse/209A Violation* |
| 1 | 8 | 8 | 17 | 90F | 9D | Domestic-Abuse/Neglect* |
| 7 | 5 | 6 | 18 | 90E | 9D | Domestic-Drunkedness* |
| 8 | 7 | 7 | 22 | 006 | | DPW Call Out - State |
| 33 | 23 | 30 | 86 | 425 | | DPW Call Out - Town |
| 0 | 1 | 1 | 2 | 35B | 9 | Drug Equipment Violations* |
| 3 | 13 | 12 | 28 | 35A | 9 | Drug/Narcotic Offenses* |
| 1 | 20 | 9 | 30 | 431 | | Dumping-Illegal |
| 0 | 2 | 4 | 6 | 555 | 9 | Escapee |
| 3 | 6 | 10 | 19 | 20E | 9 | Explosion |
| 1 | 4 | 1 | 6 | 20C | 9 | Fire-Commercial |
| 4 | 6 | 7 | 17 | 20N | 9 | Fire-Notified Fire Dept |
| 2 | 7 | 2 | 11 | 20R | 9 | Fire-Residential |
| 10 | 13 | 19 | 42 | 20V | 9 | Fire-Vehicle |
| 5 | 8 | 17 | 30 | 20W | 9 | Fire-Woods/Grass/Other |
| 5 | 2 | 19 | 26 | 20F | | Fireworks Complaint |
| 0 | 3 | 2 | 5 | 26A | | Fraud-Conf Game/Swnd/Flse/Prt* |
| 0 | 1 | 1 | 2 | 26B | | Fraud-Credit Card/Auto Teller* |
| 0 | 3 | 6 | 9 | 20G | 9 | Gas Odor |
| 7 | 17 | 20 | 44 | 146 | 9 | Gunshots Reported |
| 0 | 4 | 5 | 9 | 20H | 9 | Hazardous Material |
| 0 | 2 | 0 | 2 | 437 | 9 | Health-Public Health Problem |
| 1 | 0 | 0 | 1 | 411 | | Intelligence-Criminal |
| 1 | 1 | 3 | 5 | 412 | | Intelligence-Drugs |
| 0 | 1 | 0 | 1 | 413 | | Intelligence-Gangs |
| 8 | 7 | 17 | 32 | 314 | 9 | Intoxicated Person/No PC=Xport |
| 0 | 4 | 0 | 4 | 590 | | Juvenile Matter-Other |
| 4 | 15 | 8 | 27 | 90K | 9D | Keep the Peace - Domestic |
| 1 | 0 | 1 | 2 | 100 | 9 | Kidnapping-Abduction* |
| 0 | 4 | 1 | 5 | 101 | 9 | Kidnapping Spousal/Custody Dis |
| 22 | 119 | 93 | 234 | 23H | 9L | Larceny-All Others |
| 0 | 6 | 2 | 8 | 23X | 9L | Larceny-Attempted |
| 13 | 51 | 34 | 98 | 23F | 9L | Larceny-From M/v* |
| 0 | 2 | 2 | 4 | 23A | 9L | Larceny-Pickpocket* |
| 0 | 5 | 5 | 10 | 23B | 9L | Larceny-Purse Snatching* |
| 3 | 28 | 29 | 60 | 23C | 9L | Larceny-Shoplifting* |
| 1 | 0 | 1 | 2 | 23E | 9L | Larceny-Theft Frm Coin Op Mch* |
| 2 | 21 | 6 | 29 | 23D | 9L | Larceny-Theft Frm Building* |
| 5 | 17 | 14 | 36 | 23G | 9L | Larceny-Theft M/V Part/Access* |
| 1 | 10 | 5 | 16 | 005 | | Lockout |
| 2 | 26 | 11 | 39 | 422 | | Lost & Found |
| 2 | 6 | 4 | 12 | 186 | 9 | Medical-Assist Back to Bed |
| 255 | 537 | 454 | 1246 | 180 | 9 | Medical-General |
| 5 | 9 | 8 | 22 | 184 | 9 | Medical-Mental Health |
| 3 | 2 | 7 | 12 | 181 | 9 | Medical-Overdose |
| 1 | 0 | 3 | 4 | 183 | 9 | Medical-Prisoner Sick/Injured |
| 10 | 10 | 0 | 20 | 182 | 9 | Medical-Sudden Death |
| 4 | 10 | 13 | 27 | 322 | 9 | Medical-Suicide/Attempt |
| 1 | 1 | 0 | 2 | 323 | 9 | Medical-Suicide/Death |

| A | B | C | Total | Ucr | Grp | Description |
|---|---|---|---|---|---|---|
| 3 | 2 | 4 | 9 | 913 | | Meet Officer/Unit |
| 1 | 1 | 4 | 6 | 429 | | Minors w/Alcohol |
| 10 | 48 | 18 | 76 | 000 | | Miscellaneous |
| 6 | 10 | 11 | 27 | 10A | | Missing Person-Adult |
| 2 | 10 | 20 | 32 | 10J | | Missing Person-Juvenile |
| 0 | 6 | 9 | 15 | 10S | 9 | Missing Perons-Small Child |
| 0 | 1 | 1 | 2 | 10C | | Missing Persons-Cancel |
| 25 | 31 | 19 | 75 | 423 | 9 | Mutual Aid |
| 0 | 4 | 1 | 5 | 167 | 9 | MV-Accident Fatal |
| 2 | 19 | 12 | 33 | 164 | | MV-Accident Hit-Run/Not Invest |
| 0 | 2 | 4 | 6 | 162 | 9 | MV-Accident Hit-Run/Pers Inj |
| 17 | 59 | 60 | 136 | 163 | 9 | MV-Accident Hit-Run/Prop Dam |
| 179 | 385 | 386 | 950 | 160 | 9 | MV-Accident Investigated |
| 19 | 61 | 38 | 118 | 161 | | MV-Accident Not Investigated |
| 2 | 8 | 13 | 23 | 168 | 9 | MV-Accident Pedestrian Involved |
| 6 | 6 | 7 | 19 | 165 | 9 | MV-Accident/Dam-Police Cruiser |
| 1 | 1 | 0 | 2 | 169 | 9 | MV-Accident/School Bus |
| 6 | 32 | 11 | 49 | 173 | | MV-Gen Abandoned |
| 120 | 128 | 206 | 454 | 172 | | MV-Gen Disabled |
| 2 | 9 | 9 | 20 | 175 | | MV-Gen Lockout |
| 1 | 5 | 2 | 8 | 174 | | MV-Gen Repossessed |
| 3 | 20 | 13 | 36 | 170 | | MV-Gen Towed by Police |
| 0 | 0 | 4 | 4 | 171 | | MV-Gen Towed by Private Party |
| 234 | 195 | 371 | 800 | 176 | | MV-Gen Traffic Violation |
| 1 | 55 | 76 | 132 | 177 | | MV-Mini Bike/ATV Snow Mobile |
| 29 | 48 | 58 | 135 | 240 | 9 | MV-Theft* |
| 2 | 58 | 32 | 92 | 24P | | MV-Theft/Plate Only* |
| 1 | 1 | 6 | 8 | 24Q | | MV-Theft/Recovered Plate |
| 10 | 33 | 21 | 64 | 24R | | MV-Theft/Recovered Vehicle |
| 13 | 30 | 54 | 97 | 002 | | Notification Made/Msg Left at |
| 26 | 9 | 38 | 73 | 421 | | Open Door/Window-Business/ Resid |
| 8 | 0 | 14 | 22 | 90D | 90 | OUI-Alcohol or Drugs |
| 3 | 26 | 27 | 56 | 911 | | Parking Comp-General |
| 0 | 2 | 4 | 6 | 912 | | Parking Comp-Handicap |
| 4 | 2 | 3 | 9 | 310 | | PC-Adult |
| 0 | 0 | 1 | 1 | 311 | | PC-Juvenile |
| 8 | 81 | 75 | 164 | 155 | | Phone Calls-Harassing |
| 1 | 3 | 11 | 15 | 156 | | Phone Calls-Obscene |
| 0 | 0 | 2 | 2 | 001 | | Phoney Call |
| 0 | 0 | 1 | 1 | 90P | | Phoney ID/Possession or Use |
| 32 | 28 | 37 | 97 | 430 | | Police Information |
| 11 | 42 | 15 | 68 | 910 | 9 | Police-General Req For |
| 7 | 4 | 3 | 14 | 434 | 9 | Power Failure] |
| 2 | 74 | 81 | 157 | 003 | | Prisoners Provided with Meal |
| 1 | 3 | 6 | 10 | 120 | 9 | Robbery* |
| 0 | 1 | 0 | 1 | 806 | | Roster-Court Assignment |
| 0 | 4 | 1 | 5 | 804 | | Roster-Officer Injured |
| 369 | 367 | 362 | 1098 | 801 | | Roster-Shift Assignments |
| 2 | 8 | 23 | 33 | 90I | | Runaway (Adult/Child) |
| 0 | 0 | 1 | 1 | 428 | | Safe Keeping Property |
| 1 | 1 | 171 | 173 | 004 | | Selectmans Papers Delivered |
| 0 | 2 | 1 | 3 | 11E | 9S | Sexual Force-Fondling Juvenile |
| 1 | 0 | 2 | 3 | 11A | 9S | Sexual Force-Rape* |
| 0 | 1 | 0 | 1 | 36C | 9S | Sexual Non Force-Assault Child |

| | A | B | C | Total | Ucr | Grp | Description |
|---|---|---|---|---|---|---|---|
| | 0 | 5 | 6 | 11 | 36E | 9S | Sexual Non Force-Exposing |
| | 0 | 3 | 0 | 3 | 36Z | 9S | Sexual Non Force-Other |
| | 0 | 1 | 0 | 1 | 36B | 9S | Sexual Non Force-Stat Rape* |
| | 0 | 8 | 1 | 9 | 152 | | Solicitors/Door-Door Salesman |
| | 1 | 2 | 1 | 4 | 20S | 9 | Spills-Chemicals/Fuels |
| | 0 | 1 | 0 | 1 | 28F | 9 | Stolen Prop-Firearms |
| | 0 | 0 | 2 | 2 | 28R | | Stolen Prop-Firearms Recovered |
| | 2 | 10 | 3 | 15 | 280 | | Stolen Prop-General* |
| | 2 | 7 | 1 | 10 | 281 | | Stolen Prop-Recovered |
| | 5 | 206 | 131 | 342 | 551 | | Summons Service |
| | 490 | 135 | 278 | 903 | 151 | 9 | Susp Activity-Motor Vehicle |
| | 162 | 142 | 265 | 569 | 150 | 9 | Susp Activity-Persons |
| | 0 | 0 | 2 | 2 | 600 | 9 | Threats-Bomb* |
| | 7 | 26 | 42 | 75 | 601 | 9 | Threats-Simple* |
| | 0 | 12 | 16 | 28 | 602 | 9 | Threats-To Kill |
| | 0 | 1 | 0 | 1 | 450 | 9 | Town Bylaw-Commons/Parks/ Plygd |
| | 1 | 4 | 1 | 6 | 451 | 9 | Town Bylaw-Other |
| | 0 | 1 | 0 | 1 | 452 | 9 | Town Bylaw-Public Drinking |
| | 0 | 1 | 0 | 1 | 432 | | Town Property Damaged |
| | 1 | 15 | 1 | 17 | 813 | | Traffic Control Assignment |
| | 30 | 81 | 73 | 184 | 178 | | Traffic Hazard |
| | 85 | 21 | 42 | 148 | 426 | | Transport-Money/Persons |
| | 1 | 128 | 2 | 131 | 436 | | Transport-Prisoner to Court |
| | 0 | 11 | 6 | 17 | 90J | | Trespass Real Property* |
| | 95 | 231 | 207 | 533 | 290 | 9 | Vandalism-Destruc/Damage Prop* |
| | 2 | 10 | 23 | 35 | 553 | | Warrants-Attempt to Serve/Utl |
| | 0 | 1 | 0 | 1 | 550 | | Warrants-Recall/No Arrest |
| | 0 | 0 | 6 | 6 | 520 | 9 | Weapons Law Violation* |
| | 0 | 4 | 4 | 8 | 52B | 9 | Weapons-BB Gun Viiolation |
| | 0 | 3 | 0 | 3 | 52H | 9 | Weapons-Illegal Hunting |
| | 9 | 15 | 12 | 36 | 435 | 9 | Wire Down |
| Totals | 4,266 | 5,720 | 7,196 | 17,182 | | | |
| Totals | 4,239 | 5,698 | 7,171 | 17,108 | | | |

# PUBLIC LIBRARY

In 1994, the Billerica Public Library rebounded from its fiscal setback of the previous two years to regain its place as a growing and vital resource in the community. Over 221,000 items were borrowed from the Library during the year. This represents a 6% increase over 1993. Our skilled reference staff answered 38,000 information and research inquiries, both in person and over the telephone, during that 12 month period.

The Library added 4,836 books to its collection, a 22% increase over 1993, and 501 new audiovisual items, such as videos, compact discs and books on tape. We experienced a 45% increase in interlibrary borrowing during 1994, as more and more people take advantage of the wealth of resources available to them through our membership in the Merrimack Valley Library Consortium.

This year also marked the introduction of the Library into cyberspace. The Billerica Public Library's catalog is now accessible on the Internet. You can search the catalog anytime, day or night, from your home or office computer via our Consortium's gopher.

The Library presented a variety of informational programs (77) during the year with an attendance of over 2000 people. These programs included book discussions, author receptions, money management seminars, healthcare workshops and much more. Our children's offerings continue to be tremendously popular. More than 150 children, ages 2 1/2 to 5 1/2, participated each week in our preschool storyhour program. 1200 children and 104 young adults participated in our summer reading programs. The children's theme was "Ticket to Read" as the children's room was transformed into a train station for the summer. The Young Adult program, entitled "Scare Street", enticed 70% more teens to read 450% more books than the previous year.

For the sixth consecutive year, the Billerica Lion's Club generously supported the Library's collection of Large Print Books and Books on Tape. In addition, this year, they began the development of a new collection for the blind and visually handicapped called Descriptive Video. Descriptive Video Service is a national service that makes PBS television programs and Hollywood movies on video accessible to people who are visually impaired. DVS provides narrated descriptions of the key visual elements without interfering with the audio or dialogue of the movie. Our collection ranges from titles like Beethoven and 101 Dalmations for children, to Sherlock Holmes and Sister Act for the older crowd.

We successfully implemented a Federal grant to increase and improve the resources available to the unemployed and to the young adults in Billerica. Both of these groups were identified, during our planning process in 1993, as being underserved by the Library. We now offer a wide variety of business and employment resources in both print and non-print formats and have created a separate and distinct Young Adult area for our teenage patrons. This new area contains books, compact discs, cassettes and magazines of special interest to this age group. Both of these expanded collections have been very well received.

The Library and the community benefited greatly this year from the dedication and hard work of our volunteer work force. This group of caring individuals gave regularly of their time to assist us with the behind the scenes operations of the Library. I would like to thank each and every one of them for their generosity.

The Friends of the Library continued their support of the Library in 1994. In addition to purchasing our passes to the Aquarium, Museum of Science, Children's Museum, Drumlim Farm, Museum of Fine Arts and John F. Kennedy Museum, the Friends this year added the Isabella Stewart Gardner Museum to their offerings. They also continued their acquisition of videos for our collection and provided funding for several special programs for children.

The quality library service provided this year is due in no small part to our skilled and dedicated staff. They have worked diligently, going the extra mile, to provide the best possible library service to the community. I am extremely proud and appreciative of their efforts. I would also like to thank the Board of Library Trustees for their help and encouragement.

We look forward to a great year ahead as we continue to grow and develop. We will begin to embark on our building expansion plans in 1995 with the intent of enlarging our facility to more adequately serve the needs of the community.

Respectfully submitted,

Barbara A. Flaherty
Director
John Coyne
Chairman. Board of Library
Trustees

# DEPARTMENT OF PUBLIC WORKS

To the Honorable Board of Selectmen:

In 1994 the Department of Public Works continued in its efforts to provide improved services to the townspeople of Billerica.

These services include maintenance and repair of streets, parks, water/wastewater utilities, and the treatment of drinking water and the Town's wastewater.

An extensive study was underway at the Water Treatment facility during 1994 to investigate the cause of the brown water condition and to evaluate various treatment solutions. The results of the study, as well as a full report outlining recommendations to the Town to meet water quality needs into the next century, will be completed in 1995.

The construction of 6.5 miles of new lateral sewer mains was completed with Contract 27. This work provided access to sewer service to approximately 400 homes previously served by on-site septic disposal systems.

Construction activities for the Tower Farm Road/Boston Road intersection signalization project began in 1994. It is anticipated that the project will be complete in early 1996.

A Pavement management System has been initiated by this Department which will allow the Town to make important choices in the area of planning expenditures on its roadway network. A condition survey was performed on all streets and a computer program provides an important tool for treatment strategies and prioritizing projects.

I would like to thank all Townspeople, Boards, Committees, and Town agencies for their cooperation in 1994. Also, I would like to express my appreciation to all D.P.W. personnel including all Division Heads and office staff for their faithful service.

The following individual reports are submitted by Divisions within the Department of Public Works.

Respectfully submitted,

Richard A. Bento, P.E.
D.P.W. Director

## ENGINEERING DIVISION

The Engineering Division was engaged in the reconstruction of Allen Road Phase III and the Sewer System Rehabilitation project during 1994 in addition to our regular inspection services and standards enforcement for construction, not only for Town constructed projects, but also for subdivisions and construction on "paper streets" in general.

During 1994 we also coordinated with Commonwealth of Massachusetts Mosquito Control in numerous stream and culvert cleaning projects, and worked closely with Mass Highway in the Route 4 and Route 129 projects, designing the proposed work and obtaining all permits.

Additionally, we provided inspection services for the Planning Board for the construction of several subdivisions. This Division provided routine services to public and private agencies including: copies of maps, bench mark information, sewer stubs locations, etc.

Respectfully submitted,

John G. Sanchez, P.E. Town Eng

## HIGHWAY DIVISION

During 1994, the Highway Division strived to provide necessary services, despite budget constraints.

Expenditures for overtime have been high due to winter icing caused by freezing rain which has been a large problem so far this season. Calls for service come from the Police Department, Fire Department, or the Department of Public Works, two Treatment Plants, Water and Sewer, for sanding request which sometimes, due to inadequate personnel can not be completed in a normal day. Due to understaffing, it has been difficult to maintain the Town's infrastructure including; 1100 plus streets; to maintain, gravel, and grade; drainage, drainage repairs, cleaning of catch basins, cleaning of brooks and culverts, road resurfacing, road sweeping, cutting shoulders, patch repairs, traffic lights, signage, curbing, and guard rails. Catch basins were cleaned in most areas and culverts that needed attention were checked and cleaned. Drainage and catch basin repairs were made on many streets.

The Highway Division was responsible for the following work performed during 1994:

1. Drainage Projects:

| | |
|---|---|
| Nashua Road | Gillman Road |
| Allen Road | Harjean Road |
| Baldwin Road | Floyd Street |
| Queensland Road | Brandon Street |
| Juniper Street | Perrault Street |

| | |
|---|---|
| Kingston Street | Canterbury Street |
| Arcadia Road | Blackstone Avenue |
| Tomahawk Drive | Frost Street |
| Gladvalley Drive | Rosa Circle |
| Harjean Road | Applo Avenue |

2. Cleaned over 675 catch basins.
3. Rebuilt 212 Catch Basin's.
4. Painted all crosswalks and traffic lines.
5. Painted several traffic arrows and islands for directions.
6. Dredged several storm water channels.
7. Carried out street sweeping operations for 8 months.
8. Participated in recycling program.
9. Managed townwide waste oil collection program and collected over 4500 gallons.
10. Continued a guardrail program.
11. This year we were able to launch a full scale effort for a street sign program and installed 673 various street signs.

The Division also assists the Police Department, Fire Department, and Civil Defense in emergencies; also picks up rubbish illegally discarded and to slow the illegal dumping the Division has blocked off more areas of Town.

Other routine work was performed included road patching, storm pipe cleaning, road grading, and snow plowing.

Cooperative efforts were achieved with the Yankee Doodle Homecoming, Billerica Plan for Green-up Day, and the Recycling Committee for the recycling program, which were both successful programs.

The Motor Equipment Repair section of the Highway Division has performed exceptionally well in keeping the D.P.W. equipment and vehicle fleet in working order. Increased pressure has been placed on this section due to the aging condition of many of the fleet's vehicles.

The Highway Division is continuing its own asphalt resurfacing and patching program and is still patching the excavation sites for the Water Division.

Through an aggressive street opening permit process we are able to protect the integrity of our roads, also, many streets were paved through the Town sewer program.

The Highway Divisions clerical position is involved in the Towns budget, bid process, processing invoices through the Towns new computer system, for payment to vendors, maintaining snowplow contractors call list and processing payment to them, dispatching, ordering of sand, salt, hottop, etc. Keeping records on all highway personnel and submitting their weekly payroll. Routing incoming calls and answering residents questions and logging their complaints.

I wish to thank all the members of the Highway Division including the Foreman and office staff; also, all other Division Heads and other Town Departments.

Respectfully submitted,

David McLaughlin
Highway Superintendent

## WASTEWATER DIVISION

During 1994, the Letchworth Ave Wastewater Treatment Facility continued to operate with its NPDES requirements, recycling its biosolids (sludge) through the composting operating into an exceptional quality material, which can be used by landscapers, top soil dealers, garden centers, and nurseries, along with the local homeowners for their own beneficial use.

The construction for Contract 27 was complete in 1994. Final paving and landscaping will be completed in the Spring of 1995. There were 500 residential sewer permits issued to be connected to the Town's collection system. An additional 15 streets were sewered as a result of new housing developments constructed by private contractors.

The Letchworth Avenue Treatment Plants average daily flow on a monthly basis for 1994 was expressed in million gallons per day (mgd) are as follows:

| | | | |
|---|---|---|---|
| Jan. | 2,669 | July | 1,865 |
| Feb. | 2,614 | Aug. | 2,041 |
| March | 4,535 | Sept. | 2,230 |
| April | 3,623 | Oct. | 2,027 |
| May | 3,057 | Nov. | 2,022 |
| June | 2,166 | Dec. | 2,679 |
| Average | 2,627 | | |

The Treatment Plant began work in 1994 on dechlorination system for the final effluent to the Concord River by adding sodium bisulfite. This will limit the maximum total residual chlorine concentration at the Wastewater Treatment Facility's effluent to 0.05 mg/l.

The pretreatment section of the Wastewater Division during 1994 issues notices of violation to five industries. The monetary fines issued to three industries totaled $6,000.00. There were revisions in the Town of Billerica's Sanitary Sewer Rules and Regulations which were enacted on September 29, 1994 to bring the Town of Billerica into

compliance with all appropriate E.P.E. requirements. The Town also completed its Local Limits Analysis Report for final approval by the E.P.A. The purpose of the analysis report is to establish wastewater discharge limits on pollutant's which industrial/commercial users discharge to the Billerica Wastewater Treatment Facility. These limits apply to all permitted users of the Billerica Wastewater Treatment Facility.

During 1994, the Pretreatment section completed all required inspections and contacted many new and existing local industries for classification purposes. A 308 review conducted during the summer of 1994 indicated that the Town of Billerica is in compliance with all regulatory requirements imposed by the E.P.A and the D.E.P.

I would like to thank all the Wastewater Treatment Plant personnel for all their help in the past year, along with all other Department of Public Works Divisions.

Respectfully submitted,

Arthur Malcuit, H.T.P.O.

## TREE AND PARK DIVISION

During 1994, the Tree Division removed a total of 95 trees throughout the Town, which either endangered the public or were dead.

Maintenance activities consisted of grass cutting and fertilizing on all playgrounds, squares, and the Town Common. This Division maintains approximately 55 acres of land, including:

| | |
|---|---|
| (1) football field | (9) ballfields |
| (1) practice field | (9) tennis courts |
| (50) Veterans Squares | Viet Nam Park |
| Kids Konnection Tot Playground | |

The Park and Tree Division assisted contractors in most of the month of November preparing the Common for the Town's annual tree lighting ceremony. This has become a tremendous success with over 1000 people in attendance this year.

On behalf of this Division and its employees, I would like to thank the various Town Departments, D.P.W. Divisions, the Garden Club, residents, and business owners of Billerica for their continuing cooperating in once again making this event such a wonderful success and also for their assistance during the past year.

Respectfully submitted

Neville A. Rivet, Supt.
Tree and Park Division

## WATER DIVISION

During 1994 1.673 million gallons were pumped from the Treatment Plant to the distribution system. The day of the highest pumping occurred on June 18, 1994 with 8.13 million gallons produced. The average day volume was 4.58 million gallons.

The engineering firm of Camp, Dresser & McKee conducted a three season pilot study of the treatment process. The goal was to assess the plant's capabilities in meeting future state and federal drinking water regulations. Particular attention was directed towards assessing the treatment options for manganese removal, the cause of brown water.

The distribution mains were flushed twice in an attempt to diminish the impact of the brown water on our customers. Eighteen hydrants were replaced this year. Line gates were inserted on the main on both sides of Webb Brook Road where it passes under Allen Road. Inspections of both standpipe interiors indicates that the painted surface is in acceptable condition for the present time.

The billing operation has continued to go smoothly since the meter replacement a few years ago.

The townwide Cross Connection Survey of all commercial facilities has been completed. Consolidation of the cross connection program, meter reading and meter repair was begun this year. This is expected to improve our field services.

Respectfully submitted,

John McGovern
Water Superintendent

# RECREATION COMMISSION

The Recreation Department continually strives to make available a wide variety of activities and opportunities for the citizens of Billerica, thereby enhancing the quality of life in our community. These recreational offerings range from pre-school programs for the very young to weekend trips which are popular with adults of all ages. Director Joe Higgins and his staff take justifiable pride in the quality of these programs and endeavor to enhance the programs in an ongoing effort to provide our residents with interesting and rewarding recreational activities.

We continue to work toward full permitting of all fields and facilities in our drive for multi-purpose year round recreation. Consistent with this goal, we also maintain routine inspections on fields and playgrounds for play ability and safety. In these times of fiscal restraint and fully cognizant of the liabilities of unsafe facilities, we have had to rely more and more on friend's groups such as "Billerica Recreation for All, Inc." and youth sports organizations to assume an ever increasing and disproportionate share of the financial responsibility for maintaining playgrounds and fields.

A continuing goal of the Recreation Commission is to identify and secure a permanent facility in which the Recreation Department can plan and offer low cost year round programs. Billerica deserves to have a vibrant and effective facility in which the recreation department and community organizations can offer affordable year round activities. This goal to establish a "Community Center" has been set back by our inability to gain access to and refurbish the old police station.

Over this past year, as we have over prior years, the Recreation department had made over one hundred activities and trips available for citizens of all ages. Many of these programs, such as the summer parks, the beach, integrated summer camp and several trips, experienced their best years in terms of accomplishments and quality. Some of the more significant happenings of this year include:

Yankee Doodle Homecoming: The Recreation Department takes particular pride in its continuing efforts in organizing and participating in the fourth annual Yankee Doodle Homecoming. It was a "Town-wide Community-spirited" event concluding with the spectacular fire works display on Sunday evening. The scope of the town-wide participation included:

Fraternal Organizations donating facilities for dancing and eating;
Churches holding open houses and community suppers;
School dances, parade floats, marching units and school based events;
Community organizations and youth sports groups running demonstrations, activities and concession stands; and
Businesses and organizations through their financial generosity helping to sponsor the many events and activities.

While many people and organizations can take pride in and deserve thanks for their efforts in this event, special recognition for its success has to go the various Town departments whose members volunteered their time and expertise prior to and over the weekend to perform many of the functions necessary to support the "Homecoming". These departments include the Board of Health, Fire, Police, Public Works, Schools and Shawsheen Tech.

Breakfast with Santa: This breakfast was co-sponsored by Billerica Recreation for All with the proceeds going to support recreational programs and the Kids' Konnection playground. In addition to the hot breakfast of pancakes, sausages and eggs, each child had balloons, face painting and a photo with Santa. Nearly 400 youngsters had their pictures taken with Santa. Special thanks for the success of this event must be give to the Irish American Club for donating the use of their facility and of course Mr. and Mrs. S. Claus.

Santa Claus Calling: An annual evening event where several volunteers spend their time on the phone calling youngsters who parents have requested a call from the North Pole. Using information given to them by the parents, Santa is able to amaze and excite the children.

Health and Recreation day: The second annual Health and Recreation day co-sponsored by the Board of Health, recreation/community organizations, the Billerica Plan and Recreation Department was held in May. This event featured displays, demonstrations, health screenings and information which were made available to the public by the participating health, recreation and community groups.

Easter Egg Hunt: Our third annual Easter Egg Hunt was held at the Irish American club with the eggs hidden among hay strewn over the parking lot. Over 200 children, ages 2 and up, participated in the festivities and had their pictures taken with the Easter Bunny.

Hershey Track and Field Meet: This meet, held annually by this department for the youth of Billerica, has traditionally been one of the largest local meets in the

state and this year was once again one of the largest in the country.

Our Winter program featured Indoor Lacrosse, Indoor Soccer, Baseball Dome Ball, Floor Hockey, Gymnastics programs and "Kid's Club" a pre-school program.

A new program that was particularly successful was the Spring & Fall Street Hockey tournaments which was open to children of all ages and held during vacation weeks and holidays.

Manning State Park: Two thousand dollars was raised to fix the wading pool and improve this beautiful area, providing an ideal area for some of our pre-school programming. Special thanks to all those who donated their time and money.

Micozzi Beach Day: Great area for summer fun—Swim lessons, concerts, game-days, picnics, ice cream sundae days, and beach volleyball filled the summer air at Nuttings Lake.

Father & Son Golf Tournament: The fourth annual "Dog Day Golf Tourney", co-sponsored with the Boys and Girls club was held in August at the Billerica Country Club. The number of enthusiastic pairs teeing off in the second installment of this tournament once again made it an unqualified success ensuring a continuation of this event.

NYSCA: Under the auspices of the National Youth Sports Coaches Association, the Recreation department offers certification and training to all youth sports coaches. These clinics continue to offer new and innovative aspects of coaching for volunteers. We are fortunate that our youth organizations are very supportive of this program. For the last couple of years, Billerica has certified more coaches than any other town (over 400) in our district and has become the NYSCA District office for this part of the state. This program is particularly important to the community in that it provides an opportunity to ensure quality supervision and coaching of our youth in the various sports programs.

The Recreation Department in its efforts to continually improve and enhance the quality of community resources has several major projects underway including: the preservation of open lands for recreational use; turning old rail-road track beds into jogging/bicycle paths; and the continued development of new and innovative programs.

The Recreation Commission would like to express its thanks to the Parks, School and Water Departments for their continued cooperation, Arts Council and Elks for their monetary support, and most of all to the many volunteers that make all of these program not only possible but unquestionable successes.

Respectfully submitted,

Donald R. Donati, Chairman
Dan Barnhart, Vice Chairman
Margaret Hannon-Rizza, Secretary
John Bartlett, Co-Liason Officer
Sal Cognata, Co-Liason Officer
John Colbert, Co-Liason Officer
Members:
Richard Boutwell
Tony DiFraia
Addie Finley
Linda Meyer
Terri Venezia

# RECYCLING COMMITTEE

The 1994 curbside recycling showed a small increase over 1993 of 221,772 lbs. Our combined totals of 3,731,120 lbs. might sound like a lot, but it isn't for a town the size of Billerica. We can and must recycle more. Remember, the more we recycle, the more we save on total tonnage picked up by the B.F.I. But most important we save on the environment. The proposed composting site which would have made many thousands of dollars for the town, was rejected by Town Meeting by a very close vote. Leaf pick up will again be in May and November 1995. On January 7, the tree chipping at the DPW chipped up 949 Christmas Trees. Hazardous waste drop off totals at the DPW every third Saturday of the month for 1994 was 1,893 tires, 419 batteries, 2,348 gallons of waste oil. The hazardous waste collection on October 15, 1994 brought in 952.0 gallons of waste materials. I want to thank the Board of Health, the League of Women Voters, the Recycling Committee and the DPW for a job well done. The Town Planner, Peter Kennedy and the Recycling Committee applied for and received a grant from the Department of Environmental Protection for special paint lockers, drums and storage shed. When we receive this grant we will be able to collect paint at the drop off site. The townspeople will be notified when the paint collection is available. At no cost to the Town, the recycling calendars for 1995 were included in the tax bill envelopes. We have purchased three hundred recycling bins. The charge is $3.00 per bin.

Respectfully submitted,

Arthur L. Doyle, Chairman

and Members:
Diane Bone, Jack Morris, Peter Kennedy, Janine Corsano, David McLaughlin, Jacqui Gurney, Maureen Sullivan & Cindy Payne

# BOARD OF REGISTRARS

To the Honorable Board of Selectmen and the Town Administrator:

The Board of Registrar of Voters submits the following as its report for the year 1994.

The number of registered voters on file for 1994 was 19,734 and by precincts the numbers were as follows:

| | |
|---|---|
| Precinct 1 | 1,860 |
| Precinct 2 | 2,020 |
| Precinct 3 | 1,891 |
| Precinct 4 | 1,925 |
| Precinct 5 | 2,063 |
| Precinct 6 | 2,055 |
| Precinct 7 | 2,054 |
| Precinct 8 | 1,913 |
| Precinct 9 | 1,903 |
| Precinct 10 | 2,050 |

This was a decrease of 106 voters from 1993. In the past, voters move from the Town and new residents do not always take care of registering to vote until a presidential election year. However, now that mail-in registration is allowed in Massachusetts, hopefully this trend will be reversed.

As in past years, the Annual Town and School Census was conducted by mail. 12,721 Census forms were mailed during the first week in January. We experienced about a 90% return. It is extremely important that residents return their census forms promptly. This information is the basis for State Aid, School Reimbursement monies, establishing residency for in-state college tuition, gun permits, public housing, tax abatements, public service planning, school enrollment projections and voter list maintenance. We appreciate the cooperation of those residents who replied promptly.

During 1994, three elections were held, the Town Election on April 9, 1994, the State Primary on September 20, 1994 and the State Election on November 8, 1994. Special Voter Registration sessions were held prior to each election. Following the September State Primary, a District-wide recount was held for the Register of Deeds race on the Democratic ballot. The recount was conducted by the Board of Registrars. Many thanks to the dedicated workers who helped to make this recount go smoothly.

The passage of Senate Bill #1824, known as the "Voter Motor Bill" in the late hours of the 1993 Legislative Session and the subsequent endorsement by Governor Weld made dramatic changes in the Voter registration and voting process. As of that date, Massachusetts, for the first time in history, allowed persons to register to vote by mail. This new legislation also did away with Saturday Voter Registration and registrations in the various Precincts before State Elections. During the first six months of mail-in registration, we added 383 voters to the rolls.

Many of the mandates of the "Motor Voter Bill" will go int effect on January 1, 1995 and will include the implementation of a state-wide Central Voter Registry. This will be a totally new venture by the Secretary of State and the 351 Cities and Towns throughout the Commonwealth and will take much patience, a commitment to making the system work and co-operation to get this new system up and running smoothly.

At the 1993 Annual Town Meeting, funds were appropriated to into a lease/purchase agreement to replace the antiquated voting equipment. In February, 1994, the bid for this new voting equipment was awarded to L.H.S. Associates of Andover, Mass. These electronic vote scanners read the ballot as it is being cast and at the close of the polls, gives a precinct total of votes cast. This is a fast and efficient method of counting ballots and one that is appreciated by all. These new machines were used for the first time at the April, 1994 Town Election.

John G. Conway was reappointed to a three-year term on the Board of Registrars.This appointment runs through March 31, 1996. Donald Lovegrove was re-elected as Chairman of the Board.

The Board of Registrars extends its thanks to Jeannette Rohnstock and Lorraine Balboni, Senior Clerks in that office for their dedication and hard work. Because of their dedication and commitment, that office runs smoothly and efficiently.

Respectfully submitted,

The Board of Registrars
Donald H. Lovegrove, Chairman
John G. Conway
Joseph M. Burke, Jr.
Shirley E. Schult, CMC, CMMC, Town Clerk

## RULES COMMITTEE

To: The Honorable Board of Selectmen:

In June, The Rules Committee held its annual meeting to reorganize. Dorothy Callihan was re-elected Chairman, Robert Killeen was elected Vice-Chairman, and George Cronin, Secretary.

The Rules Committee held several meetings during the summer to generate a warrant article dealing with the order in which articles are presented at Town Meeting.

In the Fall, we welcomed new members, Jim Haines and Robert White, representing precincts 2 and 7 respectively.

The Committee reviewed warrant articles for Spring, Fall, and Special Town Meeting, and submitted recommendations as applicable.

Respectfully submitted,

Dorothy Callihan, Chairman
Robert Killeen, Vice Chairman
George Cronin, Secretary
Lawrence Norman
Patricia Rossetti
Rino Moriconi
Roger Biagiotti, Jr.
Francis Fraz Fraine
James Haines
Richard White

# BILLERICA PUBLIC SCHOOLS

**BILLERICA PUBLIC SCHOOLS**
**365 BOSTON ROAD**
**BILLERICA, MA 01821**
**TELEPHONE: (508) - 436-9300**

In June of 1993, the Commonwealth of Massachusetts enacted a sweeping Educational Reform Law. This law will have profound effects upon the Billerica Public Schools.

Each school has an elected School Council comprised of teachers and parents. The School Council reviews the school's budget and advises the Principal on the educational programs in the school.

The State has developed new Curriculum Guidelines for instruction of students in all grades. Billerica staff is working to adopt these guidelines.

There is an aggressive testing program. All students in grades four, eight, ten, and twelve are tested on statewide exams. In order to graduate from High School a student must pass a test of competency and/or proficiency. Student assessment also includes the use of student portfolio, projects, etc.

Effective September 1995, the school day will be longer for all students and teachers. This is a direct result of the Time and Learning Regulations of the Massachusetts Department of Education.

The law also emphasizes and encourages the use of technology by students in order to prepare them for adult life in the 21st century.

In response to the many changes the Billerica schools have begun the following:

**Educational Initiatives**

- Technology in Education Plan to provide teachers with training to integrate the new technologies into the daily curriculum.
- Classroom Strategies Training to improve the daily teacher/student learning process at all levels for all students.
- A systematic review of the K-12 Curriculum Frameworks as the basis of instruction.
- Assessment of students including standardized testing, Massachusetts Department of Education testing, portfolio assessment, progress reports and report cards.

For 1995-96, the following represent specific areas of concentration:

**Specific Areas:**

- Implement Year I of Technology Plan with specific computer/technology skill instruction for students, and training for staff to integrate use of technology in the classroom.
- New K-5 Mathematics Program
- Full implementation of Elementary Hands-on-science instruction.
- Joint Science Education Project for middle schools with Harvard Medical School.
- Curriculum review for Math, Science, Language Arts, and student assessment.
- Separate Preschool Special Education Department to coordinate the Early Intervention Programs of Special Education and BEAM.
- Implementation of new Time and Learning Regulations of the Department of Education.
- Continued operation of Billerica Memorial High School Learning Center.
- Full-time nurses in all elementary schools.
- Dual Enrollment Program - Billerica Memorial High School students taking classes at surrounding colleges.
- Shadowing programs and internships with business community through the Billerica Partners for Education.
- Academic enrichment classes at elementary, and middle school.
- Professional Development and retraining in areas of use of technologies, classroom strategies, and curriculum revision, media literacy, and Talents Unlimited.
- Implementation of Conflict Resolution Program at all levels.
- Hard wire connection to the Internet/Worldwide Web for Billerica Memorial High School.
- Continued restructuring of High School Foreign Language classes with use of Foreign Language Laboratory.
- Continued partnership with University of Massachusetts/Lowell and the Kennedy Center for the Performing Arts to promote and integrate education in the arts.
- Continued partnership of BEAM and Department of Public Health.
- Self-supporting (no budget funds) Food Services with no increase in the cost of basic student lunch.
- Self-supporting (no budget funds) Ice Rink generating revenues from ice rentals.
- Increase in number of school buses to reschedule schools according to new Department of Education regulations on the length of student day.
- Capital Improvement projects to continue to keep a stable environment for learning.

## STUDENT ENROLLMENT

The projected enrollment for the Billerica Public Schools shows an increase from the period 1992-1993 to 1998-1999.The areas of increase are both the elementary and middle schools. The High School population appears to remain stable during this period. From 1992-1993 and 1998-1999, the elementary population will increase a total of 4.3% and the middle school will increase a total of 6.4%.

This population growth means the space shortages at the elementary schools will continue and become more acute. The elementary schools do not have adequate space for art, music libraries, and computer laboratories now and with an increased number of students will not in the next five years.

The implication of the increased elementary population upon the middle schools is based upon the natural premise that elementary children grow to become middle school students. This increased population is a further reason for the need to keep open both the Locke and Marshall Middle Schools.

**Student Enrollment**

| Year | Total |
|---|---|
| 1992-1993 | 6,086 |
| 1993-1994 | 6,109 |
| 1994-1995 | 6,128 |
| 1995-1996 | 6,146 |
| 1996-1997 | 6,147 |
| 1997-1998 | 6,137 |
| 1998-1999 | 6,160 |

## RETIREMENTS

**Administrators**

Francis Callahan - 34 years
Richard Loranger - 39 years
Peter Gabriel - 33 years

**Teachers**

Peter Danas - 34 years
Patricia Harris - 25 years
Donald Hovasse - 26 years
Joan Ingalls - 34 years
Paula Perry - 33 years
Sheila Savitsky - 35 years
Ann Splaine - 37 years
Ann Sullivan - 33 years
Margaret Whitmore - 21 years
Mary-Jean Wilson - 29 years

**Cafeteria**

Joan Granfield - 16 years

## SCHOOL COMMITTEE

| | |
|---|---|
| Mr. Thomas Galligani<br>Chairman | Term Expires 1996 |
| Mrs. Maureen Collins-Rea<br>Vice Chairman | Term Expires 1998 |
| Mr. Robert Keough<br>Secretary | Term Expires 1997 |
| Mr. Cosmo Cavicchio | Term Expires 1996 |
| Mr. Lawrence Grey | Term Expires 1998 |

## SUPERINTENDENT OF SCHOOLS

Dr. Robert J. Calabrese

## ASSISTANT SUPERINTENDENT

**Business Affairs**

Mr. Jerry A. Houghton

## ASSISTANT SUPERINTENDENT

**Instruction**

Dr. John s. Katsoulis

## TRANSPORTATION SUPERVISOR

Mr. John D. McKenna

## GENERAL ANNOUNCEMENTS

### NO SCHOOL ANNOUNCEMENTS:

When it becomes necessary to close schools, or delay opening of schools because of inclement weather, the announcements will be carried on WBZ-1030, WEEI-590, WMEX-1150, WRKO-680, WHDH-850, radio in Boston; WLLH-1400 AM, WCAP-980, radio locally; T.V. Channels 4,5,7 and B.A.T.V. Cable Channel 56.

These announcements will be made as soon as possible, but normally between the hours and 6:00 and 7:00 AM. Under no conditions should parents call the Fire or Police Stations. This ties up the lines and could cause a serious problem in case of an emergency.

Pupils are sometimes sent home early from school because of an emergency. Parents should made arrangements with friends or neighbors and give instructions to their children.

### ENTRANCE AGE:

For admission to the Kindergarten a child must be five (5) years old on or before September 1 of that year. A birth certificate is required of all pupils unless their parents were residents of Billerica at the time of the child's birth.

### EMPLOYMENT CERTIFICATES

Employment certificates (working cards) are issued at Billerica Memorial High School, New Addition, Principal's Office. Application must be made in person and a birth or baptismal certificate must be presented.

# SHAWSHEEN VALLEY REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL DISTRICT

**School Committee Representatives**

Elected representatives of the Regional School Committee are: Anthony R. Mazzone and Mark Trifiro from Bedford; Kenneth L. Buffum, Vice Chairman, and Bernard F. Hoar, Secretary, from Billerica; John P. Miller, Chairman and Alfred Verrier from Burlington; and Richard E. Griffin and J. Peter Downing, Treasurer, from Tewksbury.

School Committee representation from the Town of Wilmington changed in 1994. Michael Smith served as a Wilmington representative on the Regional School Committee for one term (1991-1994) and decided not to seek re-election. At the annual Town Election, James M. Gillis was elected as one of Wilmington's two representatives to the Regional School Committee. The school district gratefully appreciates the contribution of Mr. Smith.

In October of 1994, John M. Gillis, who began his service representing Wilmington on the Regional School Committee in 1986, experienced an untimely death. He was elected by his School Committee colleagues as Treasurer (1987-1990), Vice Chairman (1991), and Chairman (1992). He was regarded as a thoughtful, caring, and compassionate human being. Due to his highly regarded public service, both the Parent Advisory Council and the Regional School District Committee established scholarships in his honor in November of 1994.

In November of 1994, Attorney Robert Peterson of Wilmington was appointed to fill the remainder of John Gillis' unexpired term.

**The School and Its Mission**

Shawsheen Valley Technical is one of twenty-five regional vocational technical school districts in the Commonwealth of Massachusetts. Comprehensive quality vocational/technical education was provided to one thousand eighty six Shawsheen high school students. High school enrollment increased eight percent since 1992. Seven hundred adults participated in the part-time Adult Education program and nearly two hundred high school students participated in the after school Career Education program.

Two hundred high school seniors graduated in 1994. Over ninety-seven percent of the graduates either acquired jobs within their skilled professions or pursued higher education at various colleges. Shawsheen Valley Technical's graduation placement statistics continued to be amongst the best in Massachusetts.

Upon entering Shawsheen Valley Technical in grade nine, students spend every other week experiencing and exploring fourteen different vocational/technical professions. There are twenty different vocational/technical majors at Shawsheen Valley ranging from Electronics to Metal Fabrication to Health Technology to Culinary Arts. Citizens can receive a copy of program offerings by calling the Guidance Department at (508) 667-2111 weekdays from 7:30 a.m. until 3:00 p.m.

Freshman students select a shop major in April of their freshman year and spend the next three years majoring in a particular trade. In the fall of the senior year most students initiate employment with local companies during their shop week as apprentices or co-op placements. Eligibility for early placement is dependent upon academic proficiency and fulfillment of vocational/technical competencies. Students spend alternate weeks in academic classes. Due to a long school day as compared to other high schools combined with the elimination of study hall periods, Shawsheen students receive all necessary academic instruction required for acceptance at all colleges or universities. recent graduates have received full scholarships at colleges including: Brown University, Suffolk University, Syracuse University, and the University of Massachusetts at Lowell.

Area companies both hire Shawsheen Valley students and regularly consult Shawsheen teachers and administrators on needed curriculum changes and equipment modifications. The School Committee deeply appreciates the contributions from these two hundred and seventy businessmen who serve on Shawsheen Valley's craft advisory councils.

**Special Activities in 1994**

Many activities took place during 1994 which deserve special recognition:

- Shawsheen continued its participation as active members of the Merrimack Valley Occupational and Tech Prep Educators Collaborative. This collaborative is coordinated by the Chief Executive Officers of six area vocational technical schools and the Presidents of Middlesex and Northern Essex Community Colleges. Charles Lyons, Shawsheen Valley Technical's Superintendent-Director, was elected President of MOVTEC in 1994. Formed three years ago to articulate acceptance and access for graduating senior into related associate degree programs at the community colleges, it has expanded to providing advanced college credit to over four hundred current Shawsheen juniors and seniors for courses being taken while in high school. Over one hundred and sixty eight Shawsheen gradu-

ates are currently enrolled in associate degree programs at the neighboring community colleges.

- Shawsheen initiated phase of of its school-wide technology plan to network the school and acquire direct access to the Internet. James Smyth, Director of Computer Programs, was hired to replace retiring Richard Springer, Director of Data Processing, to supervise Shawsheen Valley's technology plan which includes the initiation of a new vocational'technical major entitled Telecommunications/Networking.

- Shawsheen Valley Technical students excelled in interscholastic athletics. The Soccer Team, Football Team, and Cross Country Team won league Championships while the Hockey Team and the Volleyball Team qualified for the state tournament. Over five hundred Shawsheen students participated in the fourteen different interscholastic programs offered at the school.

- Shawsheen students also excelled in the Vocational Industrial Clubs of America (VICA) competition. This competition is sponsored by the Department of Education and includes individual competition among students from other vocational/technical schools in trade and technical areas. Shawsheen Valley won twenty-six medals in state competition including thirteen first place gold medals. Shawsheen students participated in areas including: Advertising Design; Air Conditioning; Auto Machine Shop; Health Care; Masonry;Cosmetology; Diesel Mechanics; Desk Top Publishing; Health Occupations; Machine Drafting; Medical Assisting; Promotional Bulletin Board Display; Plumbing; Electrical Wiring and Welding.

- Fourteen students participated in the National VICA Competition. National medal winners included: Shawn Mahoney winning the gold medal in Advertising Design, Chris Nawossa winning the silver medal in Air Conditioning, and four member team of Holly Canales, Shauna Napoli, Andrew Geddry, and Jessica Borden sharing the bronze medal in Health Technology.

- Shawnsheen Valley Technical staff, alumni, and friends participated in the second Alumni Golf Tournament held annually at the Andover Country Club. Over fourteen thousand dollars has been raised during the past two years with interest only to be used from this trust account for scholarships for Shawsheen graduates.

- Shawsheen Valley's Adult Technical Institute was licensed by the Massachusetts Board of Nursing to begin a Licensed Practical Nursing Program in September of 1994. Over one hundred thirty applicants applied for admission for forty seats in the L.P.N. course. The course operates four evening per week and on weekends for a ten month period. Internship partners include: Tewksbury State Hospital, Lahey Clinic, Winchester Hospital, Emerson Hospital, Wilmington Woods Nursing Home, and New England Pediatrics, Inc.

- The District was saddened with the loss of Ralph Carvalho. Mr. Calvalho served the district for seventeen years and was an extraordinary English Teacher and Department Chairman. The staff initiated a scholarship in his memory from proceeds earned at the Annual Shawsheen Valley Technical Alumni Golf Tournament.

**Shawsheen Providing Service for Member Communities**

Shawsheen Valley Technical receives request for assistance from many of the various departments and organizations within the District. Each request is individually evaluated and its acceptance as a school projects is based on whether it will assist in meeting our educational objectives, the length of time it may take, and the availability of resources needed. All expenses for projects, such as supplies and materials, are borne by those requesting the project. These projects provide Shawsheen students with the opportunity of doing hands-on work and learning skills that will be marketable upon graduation as well as lending assistance to the District.

Several projects completed during the past year are:

- Construction of a press box at Burlington High School football field. The press box provides a place for filming, videotaping, and announcing games and activities taking place on the field.

- Installation of doors and construction of brick walls at the Billerica Police Station.

- Fabrication and installation of safety railings at the Billerica Town Hall.

- Participation by our Health students at the Annual Health Fair conducted by the Town of Billerica.

- Saturday morning workshops at the Wilmington Regional Health Center in automotive maintenance and home repair.

- Design specifications as well as plumbing and electrical work for the Wilmington Community Resource Center, a joint project for the Town of Wilmington and Winchester Hospital.

- Each year Shawsheen Valley Technical Construction Department students build a home in the District. This year's construction project was a nine-room garrison colonial built on Fiorenza Drive in Wilmington. The home included a two-car garage under, four bathrooms, a five-zone hot water heating system, two fireplaces, a walk out deck from the kitchen, and a stone front entrance. Citizens interested in participating in the Annual House Building Lottery at Shawsheen Tech should contact Mr. Anthony Bazzinotti, Director of Vocational Technical Programs at (508) 667-2111 x 143 for eligibility requirements.

Shawsheen Tech's continued success is a direct result of the support received from District Town Administrators, Boards of Selectmen, Finance Committees, and citizens. We very much appreciate their cooperation and support.

## SEWER EXTENSION COMMISSION

To the Honorable Board of Selectmen
Gentlemen and Madam:

The Sewer Extension Committee hereby submits its 1994 Annual Report to the town.

The Sewer Extension Committee is composed of five (5) members, who are appointed by the Town Administrator, Robert A. Mercier. The members are:

Mr. John F. Gray, Jr., Chairman
Mr. Edward F. Ricarte, Vice-Chairman
Mr. Paul A. Odierno, Secretary
Mr. William, A. Cooke, Member
Mr. Philip C. Farmer, Member

This committee has the sole responsibility of planning and directing all of the town's lateral sewers.

The Sewer Extension Committee held several public hearings during the year of 1994. Discussions were held in regards to funding and future planning of the town's sewer system.

The Sewer Extension Committee held several meetings and formally selected the next set of streets to be sewered in the town.

After conducting an extensive research and in-depth discussions with the various town departments and residents, the members of the Sewer Extension Committee, after much deliberation, voted unanimously to accept 43 streets out of 137 streets requesting lateral sewers to be sewered on the next several contracts. The 43 streets, which equates to 9.9 miles of lateral sewer lines, will service approximately 575 homes.

If additional funding does become available, due to low contract prices or receiving State and/or Federal Grants or Loans, or due to some legality with any one of the 43 streets that have been selected, the committee has selected four (4) additional streets to be sewered.

As a committee and particularly as individuals, we recognize and understand the needs and concerns of all the residents of the town.

The selection of these 43 streets were personally difficult for us to choose. The 94 streets that were not selected does not mean, in any way, they are less important to us than the streets we selected. In our future deliberations, we expect to sewer these 94 streets, as well as others, as funding become available.

The Sewer Extension Committee wishes they could sewer the whole Town of Billerica for all the residents. The main goal of the committee is to improve the quality of health for the residents of Billerica.

The Sewer Extension Committee would like to thank Mr. Richard Vergato for his dedication and service to the committee. We would like, to express our appreciation of our clerk Brenda Boutin and to thank her for her high level of professionalism she has demonstrated throughout the year.

We would like to thank Mr. Richard Bento, Department of Public Works Director, the Board of Health and their Director, John Morris, for their cooperation and dedication.

Respectfully submitted,

John F. Gray, Jr. Chairman
Edward F. Ricarte, Vice-Chairman
Paul A. Odierno, Secretary
William A. Cooke
Philip C. Farmer

# STREET ACCEPTANCE AND DISCONTINUANCE COMMITTEE

The Street Acceptance and Discontinuance Committee submits the following report for 1994. There was no acceptance or discontinuance for the Spring Town Meeting. The results of the Fall Town Meeting votes were as follows:

**Article 24:** Voted to accept Tower Farm Road from Poe Road to Boston Road.

**Article 25:** Voted to discontinue:

Jericho Lane
Davis Street
Delwood Drive
Brownstone Road
Aiken Drive
Quill Way
Sunny Street
Stedman Street
Gail Ann Drive
Dresden Drive

All ten of these streets are in the Fox Hill section of Town.

**Article 26:** Voted to dismiss Greenleaf Street.

**Article 27:** To discontinue Martin Drive was dismissed.

Respectfully submitted,

Arthur L. Doyle, Chairman
Members:
Ruthanne Bossi
Peter Kennedy
John Sanchez
Madeline Sargent

# TOWN ACCOUNTANT

In 1994 the Accounting Department hired the Auditor's, Powers and Sullivan, to perform an audit on the accounting records for the year ended June 30, 1994. It was also requested that Powers and Sullivan provide to the town, receipts for the FY95 recap, Schedule A for reporting to the DOR and financial statements in UMAS format for that year. To date the receipts have been completed, the Schedule A was submitted to the DOR and financial statements in UMAS format have been prepared.

I was hired on February 21, 1995 and since that time the accounting department has done the following:

We have closed fiscal year 1994, entered fiscal year 1995 Budgets, entered fiscal year articles & transfers, entered fiscal year 1994 encumbrances, entered Fiscal year 1995 monthly receipts, performed monthly closing on fiscal year receipts, submitted fiscal year 1995 expenditure reports to all departments for reconciliation and have begun reconciling cash balances with the Treasurer.

The Accounting Department has come a long way in just sixty days and has accomplished quite a bit. As the new year approaches there will be many changes taking place. The biggest change is how the reporting will appear in the annual report. The previous reports were based on the statutory accounting which is being phased out by the DOR. All financial reporting beginning fiscal year 1994 and forward will be based on UMAS accounting procedures. If any additional reporting is required it will be available upon request in the Town Accountant's Office.

In Fiscal Year 1996 the accounting department will begin to automate all the accounting functions by utilizing the computer system to it's full potential. In addition we will look forward to administering reporting on a monthly basis, developing a new chart of accounts which is in compliance with UMAS and preparing an internal procedure manual for the accounting department.

I would like to thank all departments for being patient with us during these times and look forward to working with all of you in the next fiscal year. We very much appreciate your cooperation and support.

TOWN OF BILLERICA, MASSACHUSETTS
COMBINED BALANCE SHEET - ALL FUND TYPES AND ACCOUNT GROUPS
JUNE 30, 1994

| | Governmental Fund Types | | | Fiduciary Fund Types | Account Group | |
|---|---|---|---|---|---|---|
| ASSETS | General | Special Revenue | Capital Projects | Trust and Agency | General Long-Term Obligations Group | (Memorandum Only) Combined Totals |
| CASH AND SHORT-TERM INVESTMENTS | $3,953,449 | $1,474,646 | $2,535,303 | $76,490 | $0 | $8,039,888 |
| INVESTMENTS | | 442,265 | | 929,333 | | 1,371,598 |
| RECEIVABLES: | | | | | | |
| Real estate and personal property taxes | 3,020,115 | | | | | 3,020,115 |
| Personal property taxes | 601,412 | | | | | 601,412 |
| Tax Title | 2,879,946 | | | | | 2,879,946 |
| Tax Foreclosure | 377,796 | | | | | 377,796 |
| Motor Vehicle excise taxes | 1,417,096 | | | | | 1,417,096 |
| Water & Sewer | 959,802 | | | | | 959,802 |
| Water Liens | 387,533 | | | | | 387,533 |
| Sewer Liens | 284,667 | | | | | 284,667 |
| Ambulance | 271,929 | | | | | 271,929 |
| Intergovernmental | | 13,325 | 2,667,598 | | | 2,680,923 |
| OTHER ASSETS | 51,769 | | | | | 51,769 |
| AMOUNTS TO BE PROVIDED FOR RETIREMENT OF LONG-TERM OBLIGATIONS | | | | | 23,328,983 | 23,328,983 |
| TOTAL ASSETS | $14,205,514 | $1,930,236 | $5,202,901 | $1,005,823 | $23,328,983 | $45,673,457 |
| **LIABILITIES AND FUND EQUITY** | | | | | | |
| LIABILITIES: | | | | | | |
| Warrants payable | $625,491 | $112,870 | $225,341 | $3,517 | $0 | $967,219 |
| Other liabilities | 448,757 | | | | | 448,757 |
| Reserve for abatements | 1,050,373 | | | | | 1,050,373 |
| Deferred revenues | 9,149,923 | 13,325 | 85,277 | | | 9,248,525 |
| Liabilities due depositors | 120,811 | | | | | 120,811 |
| Bonds and notes payable | | | 3,570,740 | | 23,328,983 | 26,899,723 |
| TOTAL LIABILITIES | 11,395,355 | 126,195 | 3,881,358 | 3,517 | 23,328,983 | 38,735,408 |

| | Governmental Fund Types | | | Fiduciary Fund Types | Account Group | |
|---|---|---|---|---|---|---|
| | General | Special Revenue | Capital Projects | Trust and Agency | General Long-Term Obligations Group | (Memorandum Only) Combined Totals |
| **FUND EQUITY:** | | | | | | |
| Reserved for: | | | | | | |
| Encumbrances and continuing appropriations | 878,236 | | | | | 878,236 |
| Over/Under assessments | (25,159) | | | | | (25,159) |
| Court judgments | (17,500) | | | | | (17,500) |
| Snow and ice deficit | (288,789) | | | | | (288,789) |
| Nonexpendable trust | | | | 852,684 | | 852,684 |
| Unreserved | 2,263,371 | 1,804,041 | 1,321,543 | 149,622 | | 5,538,577 |
| TOTAL FUND EQUITY | 2,810,159 | 1,804,041 | 1,321,543 | 1,002,306 | 0 | 6,938,049 |
| TOTAL LIABILITIES AND FUND EQUITY | $14,205,514 | $1,930,236 | $5,202,901 | $1,005,823 | $23,328,983 | $45,673,457 |

## COMBINED STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
## GOVERNMENTAL FUND TYPES AND EXPENDABLE TRUST FUNDS
## YEAR ENDED JUNE 30, 1994

| | General | Special Revenue | Capital Projects | Expendable Trust | (Memorandum Only) Combined Totals |
|---|---|---|---|---|---|
| **REVENUES:** | | | | | |
| Real estate and personal property taxes, net of reserve for abatements | $38,282,797 | $0 | $0 | $0 | $38,282,797 |
| Tax title | 1,038,659 | | | | 1,038,659 |
| Excise taxes | 2,066,053 | | | | 2,066,053 |
| User charges | 3,887,679 | | | | 3,887,679 |
| Intergovernmental | 12,422,978 | 1,098,669 | 265,896 | | 13,787,543 |
| Departmental fees, fines and charges | 1,887,847 | 2,231,551 | | | 4,119,398 |
| Interest | 209,671 | 31,338 | | 63,918 | 304,927 |
| Other revenues | 129,370 | | | 38,450 | 167,820 |
| TOTAL REVENUES | 59,925,054 | 3,361,558 | 265,896 | 102,368 | 63,654,876 |
| **EXPENDITURES:** | | | | | |
| General Government | 2,485,354 | | | 35,735 | 2,521,089 |
| Public Safety | 7,489,405 | 4,094 | | | 7,493,499 |
| Public Works | 6,770,521 | 53,088 | | 43,200 | 6,866,809 |
| Human Services | 513,678 | 64,372 | | | 578,050 |
| Culture and Recreation | 635,593 | 195,870 | | 9,167 | 840,630 |
| Education | 29,947,983 | 2,626,411 | | | 32,574,394 |
| Capital outlay | | | 3,944,013 | | 3,944,013 |
| Pension | 2,161,045 | | | | 2,161,045 |
| Debt Service - principal | 2,800,000 | | | | 2,800,000 |
| Debt Service - interest | 1,278,583 | | | | 1,278,583 |
| State and County charges | 472,671 | | | | 472,671 |
| Employee benefits | 3,305,575 | | | | 3,305,575 |
| Other expenditures | 344,567 | | | | 344,567 |
| TOTAL EXPENDITURES | 58,204,975 | 2,943,835 | 3,944,013 | 88,102 | 65,180,925 |
| EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES | 1,720,079 | 417,723 | (3,678,117) | 14,266 | (1,526,049) |
| OTHER FINANCING SOURCES (USES): | | | | | |
| Proceeds of long-term debt | 3,570,000 | | 8,464,000 | | 12,034,000 |
| Payment to bond escrow agent | (3,490,331) | | | | (3,490,331) |
| Encumbrance reversion | 148,795 | | | | 148,795 |

| | General | Special Revenue | Capital Projects | Expendable Trust | (Memorandum Only) Combined Totals |
|---|---|---|---|---|---|
| Transfers in | 75,000 | 100,000 | 350,000 | 3,500 | 528,500 |
| Transfers out | (3,500) | (175,000) | (350,000) | | (528,500) |
| TOTAL OTHER FINANCING SOURCES (USES) | 299,964 | (75,000) | 8,464,000 | 3,500 | 8,692,464 |
| EXCESS OF REVENUES AND OTHER FINANCING SOURCES (USES) OVER EXPENDITURES | 2,020,043 | 342,723 | 4,785,883 | 17,766 | 7,166,415 |
| UNRESERVED FUND BALANCES AT BEGINNING OF YEAR | 243,328 | 1,461,318 | (3,464,340) | 131,856 | (1,627,838) |
| UNRESERVED FUND BALANCES AT END OF YEAR | $2,263,371 | $1,804,041 | $1,321,543 | $149,622 | $5,538,577 |

## COMBINED STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND EQUITY NONEXPENDABLE TRUST FUNDS

### YEAR ENDED JUNE 30, 1994

| | |
|---|---|
| CONTRIBUTIONS | $6,970 |
| FUND EQUITY, Beginning of year | 845,714 |
| FUND EQUITY, End of year | $852,684 |

# LOWELL REGIONAL TRANSIT AUTHORITY

The Lowell Regional Transit Authority provides fixed route bus service between Billerica and Lowell and Paratransit transportation service for Billerica's disabled residents and senior citizens via the LRTA's Road Runner Dial-a-Ride service.

The regular fixed route bus service operates Monday through Saturday with the first bus leaving Billerica for Lowell at 7:05 a.m. and the last bus leaving Lowell for Billerica at 5:20 p.m. There are nine (9) round trips per weekday and five (5) round trips on Saturdays. Fares are seventy (.70) cents within Billerica and one dollar (1.00) between Lowell and Billerica. Senior citizens and the disabled pay half fare. The LRTA "PASSPORT" is available to Billerica residents at a cost of twenty-five ($25.00) dollars, which entitles the bearer to travel on all LRTA bus service routes and the MVRTA's Lowell to Lawrence route as well. The South Lowell bus route (#03) extension to the North Billerica train station continues to offer twenty trips daily to and from Lowell for a one-way fare of seventy cents. Billerica's total fixed route ridership was 13,397 in FISCAL YEAR 1994. This represents a 10.3% increase in ridership when compared with the previous fiscal year's total of 12.150.

The fixed route bus service is provided by LoLaw Transit Management, Inc., under contract to the LRTA. For full information regarding the regular bus route service, residents should call 452-6161.

The Road Runner Dial-A-Ride bus service continues to accommodate many trip purposes including work, medical, shopping, recreational and social. The Road Runner service operates from 6:30 a.m. to 5:30 p.m. on weekdays and from 8:00 a.m. to 5:00 p.m. on Saturdays with a 24-hour call-in-advance notice needed to arrange trips. Service is available to Billerica residents over 60 years of age and individuals of any age with a permanent or temporary disability.

One-way fares are fifty (.50 cents) within Billerica and eighty (.80 cents) to Chelmsford on Mondays; to Lowell on Tuesdays; and to Burlington on Fridays. Medical trips to Boston are available Tuesday through Friday. The one way fare is $2.50. Medical trips to Tewksbury are also available on Wednesdays. The one way fare is eight cents (.80 cents). Service is also provided to the Billerica Council on Aging's activities and to their daily lunch program.

Ridership for the Road Runner service was 12,966 in FISCAL YEAR 1994.The Road Runner service is operated by Omni Bus Co. under contract to the LRTA. All LRTA Road Runner vehicles are wheelchair lift-equipped and provide a curb to curb service. For service requests and further information the number to call is 670-5775.

Commuter rail service between the North Billerica Station and Boston is operated by AMTRAK under contract to the MBTA. Twenty-one (21) round trips are provided on weekdays with eight (8) round trips on Saturdays, Sundays, and holidays. The one-way interzone fare between North Billerica and Lowell is one dollar and fifty cents ($1.50). The round trip fare to Boston is seven dollars ($7.00). Over 450,000 passenger trips were served to and from the North Billerica commuter rail station in 1994. Billerica commuters to Lowell disembark at the intermodal Charles A. Gallagher Transportation Terminal and continue to avail themselves of the convenient LRTA shuttle every 15 minutes to Downtown Lowell with the opportunity for connection to all LRTA routes and to Lawrence, Mass.

Bus connections to most cities in the United States can also be made at the Gallagher Terminal as Peter Pan, Vermont Transit, Greyhound and Michaud Bus ("Foxwoods Casino Special") all make regular daily stops there. For further information regarding commuter rail and intercity bus service residents may call 459-7101 or 1-800-392-6100. Express service to and from Logan airport is also now available at the Gallagher Terminal through Flight Line, Inc. For additional information regarding times and rates residents may call 1 (800) 245-2525 or (603) 893-8254.

In September, 1994 the LRTA received thirteen (13) new advanced design transit buses through a Section 3 Capital Grant from the Federal Transit Administration.The entire LRTA bus fleet is completely handicapped accessible with 35 wheelchair lift-equipped buses providing transit service to Billerica and Greater Lowell Region. The LRTA is one of the few transit authorities in the nation that can make this claim.

In March, 1994, the LRTA announced a new service which offers residents of Billerica and Greater Lowell a link with the MBTA's entire transit system. The LRTA's BILLERICA (BI) bus route now connects with the MBTA's bus routes numbers "350" and "352" in Burlington at the intersection of Cambridge and Chestnut Streets (Route 3A) This new link makes possible numerous connections, including express service, to the Lahey Clinic, the Burlington Mall and Boston, In addition, Greater Boston residents now have a direct bus connection to points of interest in Billerica and Greater Lowell. For further information on this service and all other LRTA routes, residents may call 452-6161.

Billerica's Representative to the Lowell Regional Transit Authority Advisory Board is Selectman Authur Doyle.

The LRTA Administrator is Robert B. Kennedy

# TREASURER/COLLECTOR'S OFFICE

## FISCAL YEAR 1994

### TOWN OF BILLERICA
### RECONCILIATION OF TREASURER'S
### CASH - FISCAL YEAR ENDED JUNE 30, 1994

| | |
|---|---|
| Treasurer's Cash Balance July 1, 1993 | 6,855,435.02 |
| General Cash Receipts | 59,243,892.62 |
| Accounts Payable & Payroll | 58,059,440.31 |
| Treasurer's Cash Balance June 30, 1994 | 8,039,887.33 |

Location of Cash on Hand - June 30, 1994

| Institution | # of Accounts | Balance |
|---|---|---|
| BayBank | 6 | 344,804.33 |
| Boston Safe | 1 | 2,725,739.32 |
| Century Bank | 2 | 3,462,368.67 |
| Mass. Municipal Depository Trust | 1 | 158,307.51 |
| Shawmut Bank | 8 | 1,231,356.40 |
| Assorted Bonds | 11 | 116,811.10 |
| Cash in Office | 1 | 500.00 |
| | 30 | 8,039,887.33 |

### TRUST FUND BALANCES AS OF 6/30/94

| Fund | Principal | Interest |
|---|---|---|
| Cemetery General | 0.00 | 25.30 |
| Fox Hill Cemetery | 509,540.00 | 6,485.31 |
| North Cemetery | 21,903.00 | 349.87 |
| South Cemetery | 1,095.00 | 17.21 |
| Jobe Hill | 375.00 | 6.02 |
| Fox Hill Thompson I | 24,673.64 | 338.17 |
| North Cemetery Faulkner | 13,026.92 | 178.54 |
| Fox Hill Thompson II | 3,510.68 | 564.36 |
| Gray Fund | 6,789.49 | 272.32 |
| Colby | 949.89 | 70.85 |
| **Total Cemetery Funds** | 581,863.62 | 8,307.95 |
| Bowers Fund | 134,812.48 | 4,950.07 |
| Eliot Fund | 10,281.69 | 1,652.82 |
| Overseers of the Poor | 15,469.82 | 415.59 |
| **Total Funds for the Poor** | 160,563.99 | 7,018.48 |
| Kholrauch Playground | 18,789.57 | -46.56 |
| Library Fund | 10,283.20 | -8,906.10 |
| Faulkner Library | 2,976.56 | -60.86 |
| Sheerin Memorial | 4,064.39 | 653.38 |
| **Total Library Funds** | 17,864.15 | -8,313.58 |

| Fund | Principal | Interest |
|---|---|---|
| Kent School Fund | 4,345.47 | 425.66 |
| Water Trough Fund | 73.81 | 11.86 |
| Jenkins Fountain | 54.50 | 8.76 |
| Common Seat | 42.71 | 6.89 |
| **Total Maintenance Funds** | 171.02 | 27.51 |
| Scholarship Foundation | 13,372.66 | 390.84 |
| Lutheran Church | 15,000.00 | 3,057.07 |
| League of Women Voters | 1,100.00 | 34.42 |
| Krau Family | 1,300.00 | 100.17 |
| Billerica Arts & Crafts | 2,305.00 | 177.73 |
| Lisa Tammaro Memorial Fund | 11,600.00 | 895.50 |
| Cabot Corporation | 3,257.00 | 113.71 |
| Phil Hefferman Memorial Fund | 100.00 | 2.69 |
| **Total Town Scholarship Funds** | 48,034.66 | 4,772.13 |
| Other Funds: | | |
| Kohlrauch Scholarship | 74,271.05 | 4,880.22 |
| Abbot Singing Fund | 2,433.34 | 391.18 |
| Museum Fund | 3,175.00 | 357.88 |
| Sewer Plant Sinking Fund | 376,159.91 | 58,559.25 |
| Arts Fund | 7,337.73 | 208.31 |
| **Total Trust Funds** | 1,295,009.51 | 76,588.44 |

## SCHEDULE OF TAXES
## YEAR ENDED JUNE 30, 1994

| Year | Real Estate | Personal Property | Motor Vehicle |
|---|---|---|---|
| 1962 | 1,624.32 | 0.00 | 0.00 |
| 1963 | 341.05 | 0.00 | 0.00 |
| 1964 | 190.58 | 0.00 | 0.00 |
| 1965 | 301.71 | 0.00 | 0.00 |
| 1966 | 877.04 | 292.75 | 0.00 |
| 1967 | 638.50 | 237.00 | 0.00 |
| 1968 | 730.80 | 1,553.61 | 0.00 |
| 1969 | 2,096.60 | 3,274.50 | 0.00 |
| 1970 | 3,328.40 | 3,332.10 | 0.00 |
| 1971 | 3,270.28 | 4,104.10 | 0.00 |
| 1972 | 6,178.37 | 2,714.40 | 0.00 |
| 1973 | 1,234.19 | 3,222.63 | 0.00 |
| 1974 | 1,905.54 | 1,152.00 | 0.00 |
| 1975 | 3,193.90 | 2,413.00 | 0.00 |
| 1976 | 1,760.22 | 3,449.32 | 0.00 |
| 1977 | 1,169.64 | 3,448.12 | 0.00 |
| 1978 | 4,356.06 | 4,016.30 | 0.00 |
| 1979 | 910.83 | 4,087.78 | 0.00 |
| 1980 | 7,506.27 | 5,249.40 | 0.00 |
| 1981 | 8,053.10 | 5,002.22 | 0.00 |
| 1982 | 78,171.69 | 19,716.27 | 0.00 |
| 1983 | 96,612.97 | 16,023.48 | 0.00 |
| 1984 | 134,636.67 | 12,317.90 | 0.00 |

| Year | Real Estate | Personal Property | Motor Vehicle |
|---|---|---|---|
| 1985 | 98,203.06 | 9,205.55 | 0.00 |
| 1986 | 65,115.73 | 8,935.55 | 68,739.04 |
| 1987 | 44,961.67 | 9,037.86 | 105,525.64 |
| 1988 | 56,621.41 | 29,103.48 | 169,371.56 |
| 1989 | N/A* | N/A* | 169,371.56 |
| 1990 | -513,450.96 | 52,351.53 | 108,007.63 |
| 1991 | -81,562.61 | 60,241.71 | 67,866.56 |
| 1992 | 193,102.11 | 47,453.20 | 102,867.32 |
| 1993 | 1,499,420.19 | 115,127.73 | 176,037.34 |
| 1994 | 1,930,362.02 | 166,239.66 | 472,487.73 |
| 1995 | 18,680,370.43 | 901,728.45 | 0.00 |
| | 22,332,231.78 | 1,495,263.38 | 1,440,274.38 |

*Not Available - Payments made on this levy year are currently being researched and restored.

Treasurer/Collector's Office Personnel:
David A. Genereux - Treasurer/Collector
Kelly Meehan - Assistant Treasurer
Shirley Bedrick - Assistant Collector
Bonnie McDonough
Janice Metivier
Rebecca Kendall
Michelle Surette
Diane Maniache
Pat Catazone
Virginia Picardi

Respectfully Submitted,

David A. Genereux

# DEPARTMENT OF VETERANS SERVICES

The Department of Veterans' Services presents this as its Annual Report for 1994.

The conditions in the Merrimack Valley have improved slightly and the unemployment rate has not decreased to any significant degree and we continue to get inquiries as to what benefits are available.

The Department of Veterans' Services has been very active in providing direct assistance for those eligible Veterans/Widows and dependents of Veterans./ We also have sought out benefits from other agencies i.e. Veterans Affairs, Department of Employment and Training, Department of Public welfare, Bowers Fund, Good Neighbor Fund and Society of St. Vincent DePaul. We have retained Power of Attorney on 42 cases with the office of Veterans Affairs and as of this report 28 cases have been adjudicated with a cash value of $119,007.

This office has assumed the responsibility of a new program Adopt A Square. This is a beautification program of our Memorials located throughout the Town. Residents, Clubs and Businesses have adopted some of the Memorials. Anyone interested in this program can call the office at 671-1968.

The Emergency Fuel program began for new applicants on November 1st. In the month of October applications were mailed to those who were on the fuel program the previous year. As of this writing we have processed 313 applications with a dollar value of $131,460.

With the passing of another year the Billerica Food Pantry is still going strong. Presently we have on file 369 eligible Billerica families. Once again our Christmas program Claus with a Cause was a huge success. We were able to make Christmas merrier for 219 Billerica children. This was accomplished because of the generosity of many individuals, companies and organizations. A special thank you to those members of Access TV who did such an outstanding job on the Billerica Food Pantry/Claus with a Cause TV-A-Thon.

I would like to take this opportunity to thank the Town Administrator, Board of Selectmen, School Department, Shawsheen Tech and all other Town departments for their help throughout the year.

Respectfully submitted,

Kenneth L. Buffum,
Director

# TOWN MEETING WARRANT ACTION COMMITTEE

The Town Meeting Warrant Action Committee (TMWAC) presents the following report to the 1995 Spring Town Meeting. All members except the Board of Selectmen appointee remain active and meet on a regular basis to review all Town Meeting actions since the 1993 Spring Town Meeting.

This is a report of the actions of the Town Meeting and the details of all open warrant articles.

**1994 FALL TOWN MEETING**
**OCTOBER 4, 1994**

#3 WATER/SEWER DISTRICT STUDY COMMITTEE: Extended committee to the 1995 Fall Town Meeting with an interim report at the 1995 Spring Town Meeting.

#8 IMPROVEMENTS TO WATER TREATMENT & DISTRIBUTION SYSTEM: Held pending action on 1995 Spring Town Meeting warrant article #18 to add additional capital investment in the amount of $1,500,000. Previous allotment is $2,500,000.

#9 REPAIRS TO PUBLIC SCHOOL BUILDINGS: Amended to repair the roof of the Diston Elementary School in the summer of 1995.

#11 ROAD & ENTRANCE REPAIRS FOR FOX HILL CEMENTARY: Repairs scheduled for May. 1995.

#13 TRANSFER OF FUNDS TO BUILDING DEPT. PERSONNEL: Funds for a new local Laws Inspector. Inspector hired in March, 1995.

#14 D.A.R.E. FUNDS: Transferred and DARE officer appointed.

#15 AMENDED FOR D.A.R.E. ADVISORY COMMITTEE: DARE officer ex-officio; Town Administrator has appointed (6) members; School Superintendent appointment of (6) members pending.

#16 FREE CASH TO FY 94-95 TAX RATE: Free cash not certified to implement this article. Recently Free Cash certified and 1995 Spring Town Meeting warrant articles proposed to handle free cash distributions.

#17 EXEMPT LOCAL INSPECTOR FROM CIVIL SERVICE: Legislature pending in the House of Representative with Representative William Greene, Jr. handling.

#18 LEASE OLD TOWN & OLD POLICE STATION: Lease signed with Billerica Historic Preservation Corporation. Annual review to Board of Selectmen due in July.

#19 RIGHT-OF-WAY FOR INGERSOL ROAD: Negotiated and completed.

#20 RIGHT-OF-WAY FOR BOSTON RD/POLLARD ST/ FLOYD ST INTERSECTION: Negotiations with area businesses on going.

GENERAL BY-LAW AMENDMENTS ARTICLES: #35 (1) Dismissed; #35,#42 and #45 (3) Lost; #28 thru #34; #36,#38 Thru #41 and#43 (13) Passed and recently approved by the Attorney General.

ZONING BY-LAWS: #51 and#54 (2) Dismissed; #46,#50,#52 and #53 (4) Lost; #47, #48 and #49 (3) Passed and recently approved by the Attorney General.

**REPORT OF FIFTY-FOUR (54) ARTICLES:**

| | | |
|---|---|---|
| GENERAL: | 9 | Dismissed |
| | 2 | Accepted |
| | 5 | Implemented |
| | 12 | Open and reported above |
| | 28 | TOTAL |
| BY-LAWS: | 1 | Dismissed |
| | 2 | Rejected |
| | 13 | Implemented |
| | 16 | 6 TOTAL |
| ZONING BY-LAWS: | 2 | Dismissed |
| | 5 | Rejected |
| | 3 | Implemented |
| | 10 | TOTAL |

**1994 FALL SPECIAL TOWN MEETING**
**OCTOBER 18, 1994**

#1 PURCHASE AGRICULTURAL PROPERTY: Held pending court action.

#2 ISSUE ON PRELIMINARY TAX BILLS: Voted by the State Legislature and implemented.

#4 LEASE/PURCHASE OF FIRE DEPT PICK-UP TRUCK: Lease with purchase agreement signed. Truck in use.

#6 STATE OWNERSHIP OF RIVER ST BRIDGE: In the State Legislature being handled by Representative William Greene, Jr. and Senator Robert Havern. Outlook positive.

#8 LAND TO BILLERICA HOUSING AUTHORITY: Accepted for use as parking lot.

ZONING BY-LAWS #9: Accepted and approved by the Attorney General.

**TOTAL OF ELEVEN (11) ARTICLES:**

| | | |
|---|---|---|
| GENERAL: | 1 | Dismissed |
| | 3 | Accepted |
| | 2 | Implemented |
| | 2 | Open and reported above |
| | 8 | TOTAL |
| ZONING BY-LAWS: | 2 | Dismissed |
| | 1 | Implemented |
| | 3 | TOTAL |

**1994 SPRING TOWN MEETING**
**MAY 3, 1994**

#6 BPAA CONTRACT: Employee evaluation criteria due Jan. 1, 1995 completed April 4, 1995.

#7 SEWER ENGINEERING PLANS: Contract #28 previously was to complete design by May, 1995 with bonds and bids released in June, 1995 and construction expected from July, 1995 thru December, 1996 is presently with the Engineering design team and the Sewer Extension Committee. Total design to be completed by September, 1995 with bids and construction to follow.

#10 CUPOLA REPAIR: Presently $120,000. in the account. Bids for Repair of Cupola and the Roof total $250,000. Insufficient funds and placed on hold.

#12 INTENT TO PURCHASE LAND: Intent to purchase land known as Griggs farm accepted. See 1994 Special Spring Town Meeting article #18 which was approved.

#13 SEWER PLANT MODS: Detail report in the 1994 Fall Town Meeting article. This article completed.

#20 LEGAL COUNSEL STUDY: Final Report in Article #44 of 1995 Spring Town Meeting.

#29 CIVIC CONVENTION COMMISSION: Legislation passed. Town Moderator appointment of five (5) members pending.

#30 PAUL GALLAGHER EXEMPT BILL: Legislature passed through efforts of State Representative William Greene, Jr. and State Senator Robert Havern. Paul Gallagher pursuing Civil Service approval.

#31 TOWN ACCOUNTANT EXEMPT BILL: State legislation hearings continue in House. State Representative William Greene, Jr. handling.

#37 WATER/SEWER DISTRICT STUDY COMMITTEE: Committee meeting regularly with an Interim Report at the 1995 Spring Town Meeting and recommendations and Final Report in 1995 Fall Town Meeting.

**REPORT OF FORTY-SEVEN (47) ARTICLES:**

| | |
|---|---|
| 13 | Dismissed |
| 3 | Rejected |
| 25 | Implemented |
| 6 | Open and reported above |
| 47 | TOTAL |

**1994 SPRING SPECIAL TOWN MEETING**
**MAY 5, 1994**

#3 CONTRIBUTION PARK: All work completed. Dedication scheduled for May 20, 1995.

#5 SEWER BOND CONTRACT #28: Design engineering continues; see Article #7 of 1994 Spring Town Warrant. Bank plans to issue bonds in summer of 1995.

#8 SCHOOL BONDS: School administration continues to provide up-to-date reports to the School Committee, Finance Committee and to this committee which are monitoring the status.

#10 FINANCIAL DEVELOPMENT CORP.: Legislature approved with the Governor's amendments through the efforts of State Representative William Greene, Jr. and State Senator Robert Havern. New corporation filling for incorporation and is very active.

**REPORT OF TWENTY-TWO ARTICLES:**

| | |
|---|---|
| 4 | Dismissed |
| 2 | Rejected |
| 8 | Implemented |
| 4 | Zoning approved and incorporated |
| 4 | Open and reported above |
| 22 | TOTAL |

**1993 FALL TOWN MEETING**
**OCTOBER 5, 1993**

#8 EMERGENCY POWER GENERATOR SYSTEM: Property transferred to Town. Article revised and part of 1995 Spring Town Meeting Article #18.

**REPORT OF FORTY-TWO (42) ARTICLES - ALL ACTION COMPLETED**

**1993 SPECIAL FALL TOWN MEETING**
**OCTOBER 5, 1993**

**REPORT OF FOURTEEN (14) ARTICLES - ALL ACTION COMPLETED**

**1993 SPECIAL FALL TOWN MEETING**
**OCTOBER 19, 1993**

**REPORT OF TWO (2) ARTICLES - ALL ACTION COMPLETED**

**1993 SPRING TOWN MEETING**
**MAY 4, 1993**

#16 CONTRACT ENGINEERING SERVICES: Permitting process procedure issued. Evaluation and corrections continue.

#33 3 YR ADA FULL ACCESS PLAN: This article was passed to comply with 1991 Title III of the American Disabilities Act. Information obtained by this Town Meeting Warrant Action Committee has provided data to start this long overdue process. In the Unclassified Section of the 1996 Budget, an amount of $3,000. has been allocated to hire an individual to inspect and evaluate all Municipal Buildings. Then, the ADA director can obtain cost estimates to provide a 3 YEAR PLAN and implement this article. This committee wants to recognize the untiring efforts of Town Meeting Representative MARIA SALVATO. She along with this committee highly recommends approval of this budget item. The School Department has been fulfilling their requirements with the 1994 Spring Town Meeting Article #8 with School Bond Funds. This article remains open until the Town Meeting accepts a 3 YEAR PLAN.

#38 NASHUA RD/SIMMONDS FARM: Negotiations continue with new owners.

**TOTAL OF ELEVEN (11) ARTICLES:**

| | |
|---|---|
| 3 | Open and reported above |

**1993 SPECIAL TOWN MEETING**
**MAY 4, 1993**

#5 EARLY RETIREMENT: Police Chief appointed. Police and Fire Departments reorganization in contract negotiations.

**REPORT OF ELEVEN (11) ARTICLES:**
1 Open and reported above

This committee has submitted Article #43 in the 1995 Spring Town Meeting. This article will reorganize the Town Meeting Action Committee to provide continuity and better serve the Town Meeting. We will appreciate your support for this article.

Respectfully Submitted,

Bernie Hoar, Chair
Nancy Smith, Vice-chair
Ellen Rawlings, Secretary
Evelyn Haines, Asst. Town Administrator

It is a pleasure to report all these activities. Through the efforts of this committee, the Town Meeting Representatives have information never before available in a single report. The committee would like to recognize the efforts of our secretary, Ellen Rawlings, who for the past year, has held this position the longest. She recently resigned from the Finance Committee and; therefore, from this committee. She has gone on to bigger and better things—MAYBE. Also, Nancy Smith and myself, two members of this committee, appreciated the support and cooperation of Assistant Town Administrator Evelyn Haines.

Bernie Hoar and Nancy Smith

## WATER/SEWER DISTRICT STUDY COMMITTEE

The following is the Interim Report of the Billerica Water/Sewer Study Committee.

We have examined a multitude of existing Water/Sewer organizations with emphasis on their Charters, degree of autonomy, organization and methods of operation. This included a detailed study of the Billerica Water and Sewer departments.

The committee determined that the management and operation of the town's departments are well organized. However, we concluded that the financial operation needs improvement. The committee voted to study the feasibility of an Enterprise Fund.

To elaborate, under the provisions of Chapter 44, Section 53F 1/2, a town by vote of the Town Meeting may establish "an Enterprise Fund for a utility, health care, recreational or transportation facility and its operation." In essence, all funds collected from the water and sewer departments would go into a separate account with Water and Sewer expenditures paid out from these separate accounts. The main feature of this Enterprise Fund would be that excess funds would be retained in a reserve account for use only by the water and sewer departments. These excess funds can only be used for maintenance and operation of these departments or to reduce water and sewer rates.

The budgets for both these departments would still require Town Meeting approval at the Spring Town meeting. Expenditure of the reserve funds will be covered in the article establishing the Enterprise Fund.

The committee will be conducting further studies and plans to hold public hearings on the Enterprise Fund prior to our final report and recommendation at the 1995 Fall Town Meeting.

Respectfully submitted,

Bernard Hoar, Pct. 8
Chair
Lawrence Norman, Pct. 3
Vice-chair
Christopher Blake, Pct. 10
Secretary

Members:
Pct. 1, Barbara Norman
Pct. 2, Bradford O'Neil
Pct. 4, George Noel
Pct. 5, Lillie Ralston
Pct. 6, Malcolm McDowell
Pct. 7, David Delorey
Pct. 9, Elaine Horlink
BofS, John Gray, Jr.

# WEIGHTS & MEASURES DEPARTMENT

During this past year, businesses in the Town have been in a transition phase. A large Supermarket closes, another large Supermarket is refurbished, enlarged and installs all new equipment (scales). One twenty year old prescription drug store closes and another takes its place an as adjunct in a large retail store. A fish market on Boston Road, in business for years, closes. A new fish market on Salem Road opens.

This trend has also been the scenario for the Weights and Measures Department for the 1994 Calendar Year; plus new inspections, minus old inspection. However, the plus inspections have outnumbered the minus inspections and as a result and, as I have said in all my previous reports, "this has been another record year for the number of inspections made and the number of units sealed by this Department during any other recorded year in the past."

The following is a breakdown of measuring and weighing unit checked and sealed during Calendar Year 1994:

| | |
|---|---|
| Scales 0 to 10 lbs. | 8 |
| Scales over 10 lbs. but less than 100 lbs. | 105 |
| Scales over 100 lbs. but less than 1000 lbs. | 4 |
| Diesel and gasoline dispensers | 272 |
| All other weighing and measuring devices | 75 |

A total of $2,811 in fees collected were turned in to the Town Treasurer's Office. (Another record)

I trust, that in the coming year the economy of the Town will continue to grow and we will see a continual decrease in the number of empty spaces in commercial buildings. I understand that a large computer company is considering moving to Billerica and occupying some empty commercial space and that the building to be occupied has a cafeteria with three scales. Like the Energizer bunny that keeps going and going the inspection of this Department keeps growing and growing.

I would like to thank all the people in the various Departments of the Town that have continued assisting the Weights & Measures Department.

Respectfully submitted,

Alfred D. Laing
SEALER

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# MUNICIPAL TELEPHONE NUMBERS

## EMERGENCY NUMBERS

**POLICE** ..... **667-1212**
**All other purposes** ..... **671-0900**
**AMBULANCE** ..... **667-1212**
**FIRE** ..... **663-3433**
**All other purposes** ..... **671-0941**
**POISON CONTROL** ..... **1-800-682-9211**

## TOWN OFFICES

Appeals Board ..... 671-0964
Assessors Office ..... 671-0971
Billerica Housing Authority ..... 667-2175
Billerica Municipal Employee
    Credit Union ..... 667-2434
Building Department
    Building Commissioner ..... 671-0959
    Plumbing Inspector ..... 671-0960
    Wiring Inspector ..... 671-0961
    Zoning Officer ..... 671-0959
Cemetery Department Andover Road
    Superintendent ..... 671-0946
    Secretary's Office ..... 671-0946
Civil Defense ..... 671-0917
Conservation Commission ..... 671-0966
Council on Aging ..... 671-0916
Dog Pound (between 3-4 p.m.) ..... 671-0909
Election and Voter Registration:
    Board of Registrars ..... 671-0926
Health Department:
    Board of Health ..... 671-0931
    Public Health Nurses ..... 671-0932
    Milk Inspector ..... 671-0931
Library ..... 671-0948
Personnel Board ..... 671-0939
Planning Board ..... 671-0962
Public Works Department:
    Superintendent ..... 671-0951
    Chemist ..... 671-0954
    Engineer ..... 671-0955
    Highway ..... 671-0952
    Sewers ..... 671-0956
    Water ..... 671-0954
    Water Billing and Treatment ..... 671-0954
    Tree and Moth ..... 671-0951
    Playground & Recreation ..... 671-0921
School Department:
    Administration Building ..... 436-9500
    Superintendent ..... 436-9500
    Connecting all schools ..... 436-9300
    Diston School
    Dutile School
    Hajjar School
    Kennedy School
    Locke Middle School
    Marshall Middle School
    Memorial High School
    New Addition
    Ice Pavilion
    Parker School
    Vining School
Shawsheen Valley Tech ..... 667-2111
Sealer of Weights and Measures ..... 272-0721
Selectmen, Town Adm. ..... 671-0942
Sewer Commission ..... 671-0957
State Welfare Office, Middle Street,
    Lowell ..... 454-8061
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